



**ఆంధ్రప్రదేశ్ రాజపత్రము**  
**THE ANDHRA PRADESH GAZETTE**  
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AMARAVATI, TUESDAY, MARCH 10, 2020

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**PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC**

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**NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,**

**COLLECTOR AND DISTRICT MAGISTRATE,  
GUNTUR.**

**Rc.No.14/2016/C4.**

**Dated: 18-02-2020.**

CASTE STATUS VERIFICATION - GUNTUR DISTRICT - PONNUR MANDAL - ENQUIRY CONDUCTED BY DLSC INTO THE YANADI-ST CASTE CERTIFICATE - ALLEGATION OF OBTAINING YANADI-ST CASTE CERTIFICATE BY Sri IMADABATTUNI VEERANJANEYULU S/o VENKATA KOTAIAH BELONGS TO TELAGA(OC) CASTE UNDER THE FAKE IDENTITY OF KATHI DAVID RAJU S/o YEDUKONDALU AND SECURED JOB UNDER ST RESERVATION AS ADDL. ASST. ENGINEER (ELECTRICAL) IN DR. NTPS (VTPS) ELECTRICITY GENERATION CORPORATION, IBRAHIMPATNAM, VIJAYAWADA, KRISHNA DISTRICT - CLAIM FOUND FALSE - CANCELLATION OF ST CERTIFICATE.

- Read : 1. Petition filed by Sri Ramavathu Krishna Naik, A.P. State President, Nangara Bheri Lambadi Hakkula PoataSamithi, Guntur, dated Nil received on 20.01.2016.
2. This office Rc.No. 14/2016-C4, dated 28-01-2016 to the Tahsildar, Ponnur Mandal, Guntur District.
3. Lr.Rc No.980/2016-A, dated 18-10-2016 report of the Tahsildar,Ponnur Mandal, Guntur District along with material.

4. Notice in Rc.No. 14/2016/C4, dated 21-01-2017 issued to the claimant by the District Level Scrutiny Committee, Guntur. (Served on the claimant on 25-01-17)
5. Explanation dated 31-01-2017 and explanation dated 26-05-2018 filed by the claimant.
6. The Hon'ble High Court of A.P. orders issued in W.P.No. 10392 of 2019, dated 08-08-2019.
7. Finding dated 22-07-2018 submitted by the DLSC, Guntur to the District Collector, Guntur.
8. Show cause notice in Rc.No.14/2016/C4, dated 22-09-2018 issued to the claimant along with material by the District Collector, Guntur.
9. Reply submitted by the claimant on 24-10-2018.
10. The Hon'ble High Court of A.P. orders issued in W.P.No.8576 of 2019, dated 05-12-2019
11. This office endorsement Rc.No14/2016/C-4, dated 02-01-2020.
12. Representation dated 11-01-2020 filed by Kathi David Raju, the claimant.
13. This office notice bearing Rc. 14/2016-C4 dated 28-01-2020 and 31-01-2020 issued to the claimant.
14. Explanation filed by the claimant on 01-02-2020.
15. This office letter Rc.14/16-C4 dated 03-02-2020 and 04-02-2020 addressed to the Tahsildar, Bapatla.
16. Explanation filed by the claimant on 04-02-2020.
17. Report of the Tahsildar, Bapatla, dt.07.02.2020.

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**ORDER:**

**History of the Case :**

Sri Ramavath Krishna Naik R/o. 5/1 Brodipet, Municipal Complex, Guntur said to be President, Nangarabheri Lambada Hakkula Porata Samithi filed a complaint petition before the Joint Collector, Guntur alleging that one person by name Sri Imadabattuni Veeranjanyulu, S/o. Venkata Kotaiah belonging to Telaga(OC) caste, resident of Bapatla Town assumed his name as Kathi David Raju and fraudulently obtained Yanadi (ST) caste certificate basing on the Transfer Certificate belonging to another person by name Kathi John David @

David Raju, S/o. Yedukondalu, who had studied up to 5<sup>th</sup> class in Government Elementary School at Kanakadrinagar of Bapatla Town and joined in 6<sup>th</sup> class in Municipal High School, Bapatla and later discontinued his studies. The petitioner stated that the said Imadabattuni Veeranjanyulu said to be in the fake identity of Kathi David Raju managed to secure a job as Additional A.E. in NTPS, Ibrahimpattanam. He also managed to get ST (Yanadi) caste certificates to his children. The petitioner requested to enquire into the matter and take suitable action to cancel the fake caste certificates obtained by Kathi David Raju (real name - Imadabattuni Veeranjanyulu).

The petition was forwarded to the Tahsildar, Ponnuru for detailed enquiry and sending report. The Tahsildar, Ponnuru after due enquiry submitted his report dt.18-10-2016 to the District Collector, Guntur along with record of enquiry.

**Facts of the Case:**

**Full text of the report of the Tahsildar, Ponnur is as follows:**

It is stated that one Sri Imadabattuni Veeranjanyulu S/o Venkata Kotaiah belongs to Telaga(OC) by Caste has assumed the name of Kathi David Raju S/o Yedukondalu and secured job under ST backlog quota. He was born to his parents, Sri Imadabattuni Venkata Kotaiah and Smt Nagendramma. His parents had given birth to 4 children, namely: 1.Siva Kumari, 2. Imadabattuni Srinivasa Rao 3.Imadabattuni Veeranjanyulu and 4. Imadabattuni Ramesh. The individual is the 3<sup>rd</sup> issue to his parents.

Further, it is stated that Sri Imadabattuni Veeranjanyulu S/o Venkata Kotaiah assumed the name of Kathi David Raju S/o Yedukondalu and the brief history of original candidate, Sri Kathi David Raju @ Kathi David John S/o Yedukondalu is stated as follows after due enquiry:

Sri Kathi David John S/o Yedukondalu is a resident of Kanakadri Nagar, Matyapuri ST Colony, Bapatla Mandal belongs to Yanadi (ST) by Caste and aged about 46 years and the Tahsildar, Ponnur recorded a statement from the individual on 12-05-2016. The individual stated that he is a Rickshaw Puller at Bapatla Town, and his parents are Sri Kathi Yedukondalu and Smt Kathi Premavathi and his mother and father died on 15-12-2014 and 21-01-2015 respectively. His parents had given birth to two male and one female and he is the elder son and he studied 1<sup>st</sup> class to 5<sup>th</sup> class during the period from 1979-1985 in Government Elementary School which was located at his colony. Later he joined 6<sup>th</sup> class in Municipal High School, Bapatla Town in the year 1986. At the time of joining in 6<sup>th</sup> class, his father recorded his name as Kathi David Raju

instead of Kathi David John due to lack of knowledge and he discontinued 6<sup>th</sup> class and not continued further studies.

Later at the age of 21 years he got married to Chalamcherla lakshmi D/o Sri and Smt Chalamcherla lakshmaiah and Mallamma, residents of Regadichaliki(V), Rajupalem Mandal of Nellore District. He also stated that he did not obtain any certificate from the Municipal High School, Bapatla Town after he discontinued, his studies i.e. 6<sup>th</sup> class till today. His brother, Sri Kathi Daniel and Sister Santha Kumari also studied in Government Elementary School in their locality. **(Enlcosed statement of Kathi David John as Recorded Document Evidence-1).**

The Tahsildar further recorded several statements of relatives and neighbours of original Kathi David Raju S/o Yedukondalu and Imadabattuni Veeranjaneyulu as follows:

- Statement of Sri Kathi Mani Babu S/o Koteswara Rao, Aged 45 years by Caste Yanadi(ST), Occupation: Rickshaw Puller, resident of Kanakadri Nagar, Matyapuri ST Colony, Bapatla Town, dt.12-05-2016.
- Statement of Kathi Srinu @ Srinivasa Rao S/o Koteswara Rao, aged:56 years, Caste:Yanadi(ST), Occupation: Rickshaw Puller and Kathi Venkayamma W/o Prasad, aged;40 years, caste: Yanadi(ST), Occupation; Cooli resident of Kanakadri Nagar, Matyapuri ST Colony, Bapatla Town, dt.12-05-2016.
- Statement of Kathi Veenamba W/o Venkateswara Rao, aged;65 years, caste; Yanadi(ST), Occupation: Village Sarpanch and Smt Kathi Venkata Ratnam W/o Koteswara Rao, aged : 70 years,caste; Yanadi(ST), Occupation; house wife resident of Kanakadri Nagar, Matyapuri ST Colony, Bapatla Town, dt.12-05-2016.
- Statement of Kathi John S/o (Late) Yedukondalu, aged;43 years,caste: Yanadi(ST), Occupation:Rickshaw puller, resident of Kanakadri Nagar, Matyapuri ST Colony, Bapatla Town, dt.12-05-2016.
- Statement of Immadiseti Markendeyulu S/o Hanumantha Rao, aged:44 years, Caste: Telaga(OC), Occupation: Cultivation resident of Immadisettivaripalem, Bapatla Town and Molabanti Pitchaiah S/o Kotaiah, aged: 74 years, Caste: Telaga(OC),



Occupation: Rtd.Attender, Mpl.High School,  
Immadisettivaripalem, Bapatla. Dt.14-05-2016.

- Statement of Immadisetti Venkatrayudu S/o Pothuraju, aged: 66 years, Caste: Telaga(OC), Occupation: Rtd.Constable, resident of Immadisettivaripalem, Bapatla, dt.14-05-2016.
- Statement of Immadisetti Venkatrao S/o Venkatadri, aged: 61 years, Caste: Telaga(OC), Occupation: Driver, resident of Immadisettivaripalem, Bapatla, dt.12-05-2016.
- Statement of Smt Channam Pushpavathi W/o (late) Sessaiah, aged; 65 years, Caste; Telaga(OC), Occupation: House wife, resident of Laxmipuram, Pandrapadu(V), Kakumanu Mandal, dt.12-05-2016.

The Tahsildar Ponnur further reported that after persuing the statements given by the relatives of Kathi David Raju @ Kathi David John S/o Yedukondalu, he came to a conclusion that the Original candidate Sri Kathi David Raju @ Kathi David John S/o Yedukondalu belongs to Yandai(ST) by caste who studied at MPPE School, Kanakadri Nagar up to 5<sup>th</sup> Class and joined and discontinued in 6<sup>th</sup> Class at Municipal High School, Bapatla as Kathi David Raju is alive and he is leading his life by way of Rickshaw Puller present at Bapatla Town.

Further, the Tahsildar stated that Imadabattuni Veeranjaneyulu S/o Venkata Kotaiah belongs to Telaga(OC) by caste (now assumed as Kathi David Raju-ST). His parents are Imadabattuni Venkata Kotaiah and Smt Imadabattuni Nagendramma who are residents of Immadisettivaripalem, Bapatla Town and they were blessed with 4 children i.e. 3 male and one female namely: 1. Siva Kumari, 2.Imadabattuni Srinivasa Rao 3.Imadabattuni Veeranjaneyulu and 4. Imadabattuni Ramesh. Imadabattuni Veeranjaneyulu is the 3<sup>rd</sup> issue to their parents and he studied VI Class to X Class in the Salvation Army High School, Bapatla Town during the years 1982-1987 as per study certificate issued by the concerned school vide Admn.No.8796/1982,dt.15-06-2016 and Vide Tc.No.65648 with date of birth as 06-06-1972 (**enclosed as recorded evidence document Nos.2 & 3**). He also completed his Secondary School Examination in the month of April, 1987 Year on the name of Imadabattuni Veeranjaneyulu S/o Venkata Kotaiah.

The Tahsildar, Ponnur further, stated that Imadabattuni Veernjaneyulu S/o Venkata Kotaiah appeared for SSC Public Examination privately with

**Roll.No.0911112** from Municipal High School, Bapatla Town on the assumed name of Kathi David Raju S/o Yedukondalu and he also got SSC Certificate from SSC Board on 23-05-1996 on the name of Kathi David Raju S/o Yedukondalu and he also obtained SSC marks Memo and TC from the Head Master, Municipal High School, Bapatla Town with date of birth as 20-05-1974 with Caste as Yanadi (ST) on 14-06-1996. Basing on the TC which was issued by the Schools for the private candidates he applied for caste certificate to the Mandal Revenue Officer, Ponnur intentionally with false information for issue of caste certificate on the name of Kathi David Raju S/o Yedukondalu. Accordingly, he got Permanent Caste Certificate from the Mandal Revenue Officer, Ponnur on 14-08-1996 as Yanadi (ST) Caste on the name of Kathi David Raju S/o Yedukondalu (**Certificate enclosed**). He also got job of a conductor in APSRTC Depot, Bapatla by producing fake caste certificate as Kathi David Raju S/o Yedukondalu under ST quota and he joined duty as conductor in APSRTC Depot, Bapatla on 10-06-1998 and his services were regularized in the cadre of conductor on 01-01-2000 with Staff Ticket No.726492 on the name of Kathi David Raju S/o Yedukondalu and worked upto 04-02-2002 as a conductor at Bapatla Depot and resigned his conductor job.

The Tahsildar Ponnur further stated that Imadabattuni Veeranjanyulu S/o Venkata Kotaiah married Peta Annapurnamma D/o Peta Subbarao resident of Manchala (V) of Chebrolu Mandal, Guntur District, who belongs to Telaga(OC) by Caste. The father of Peta Annapurnamma (i.e. Peta Subbarao) executed Registered Gift Deed in favour of his daughter on the name of Imadabattuni Annapurnamma W/o Veeranjanyulu to an extent of Ac.1.27 cents in Sy.No.157/3 of Manchala Village of Chebrolu Mandal vide Regd.Document No.815/2005, dt.26-04-2005 (**Registered Gift Deed enclosed**).

Later, the said Registered Document was executed for correction in favour his daughter on 27-07-2007 vide correction Document No.1710/2007 and witness signature of Imadabattuni Veeranjanyulu S/o Venkata Kotaiah was present on the said Document. Imadabattuni Veeranjanyulu and his wife Imadabattuni Annapurnamma were blessed with one son and one daughter and Imadabattuni Veeranjanyulu obtained Yanadi (ST) caste certificates for his two children also fraudulently.

The Tahsildar, Ponnur further stated that Imadabattuni Veeranjanyulu S/o Venkata Kotaiah who assumed the name of Kathi David Raju stated that Imadabattuni Annapurna deserted her husband Imadabattuni Veeranjanyulu within 20 days after the marriage and joined him and thereafter Peta Annapurna lived with him as his partner. As a result of their extra marital relation on 17-06-1997 Annapurna delivered a female child named Triveni and on 10-10-1999

she gave birth to Raja Ravindra. He further stated that Triveni and Raja Ravindra were born to him and Annapurna out of their extra marital relationship at Kondapalli at their house and the deliveries of the two children were held at his house at Kondapalli. He further stated that the children Date of Birth was entered in the School on the basis of his self affidavit and Birth Certificates his children were not entered in any Government Authority.

The Tahsildar, Ponnur further reported that the hospital records provided by the Administrator of Saint Joseph General Hospital, Guntur, reveal that on 17-06-1997 at 5.15 PM Imadabattuni Annapurna as mother and Imadabattuni Veeranjanyulu, Polytechnic, Gudlavalleru as her husband gave birth to a female live child. On 10-10-1999 at 8.00 PM Kathi Annapurna as mother and Kathi David Raju, Polytechnic as father gave birth to a male live child at their hospital. The birth reports of both children were intimated to the Municipal Corporation, Guntur. The birth of both children was entered in Birth Register of the relevant years maintained by Municipal Corporation, Guntur. The Tahsildar, Ponnur obtained the Birth reports and certificates of both children Triveni and Raja Ravindra.

The Tahsildar further reported that the birth reports provided by the St. Joseph General Hospital, Guntur authority clearly show that Imadabattuni Veeranjanyulu and Kathi David Raju are one and the same persons. Imadabattuni Veeranjanyulu never studied at Polytechnic College, Gudlavalleru. But Imadabattuni Veeranjanyulu was shown as student of Polytechnic College, Gudlavalleru in the St. Joseph General Hospital, Guntur. As per the available record a person by name Kathi David Raju only studied in the Polytechnic College, Gudlavalleru in those days. The birth Certificates of Triveni and Raja Ravindra are utilized by Imadabattuni Veeranjanyulu it would reveal that Kathi David Raju and Imadabattuni Veeranjanyulu are one and same persons. Therefore Imadabattuni Veeranjanyulu intentionally suppressed the original Birth Certificates issued by the Municipal Authority, Guntur.

The Tahsildar further stated that by all these illegal means and ways adopted, Imadabattuni Veeranjanyulu with the assumed name Kathi David Raju secured job as Addl. Asst. Engineer(Elecl.) in Dr.NTPS (V.T.P.S) Electricity Generation Corporation, Ibrahimpatnam, Vijayawada, Krishna District under ST back log quota by using ST Caste Certificate though he is a OC candidate and breached and violated the reservation of STs for his selfishness and also he and his wife cheated the Government intentionally by using ST Caste Certificates obtained to their both children and got illegal benefits.

The Tahsildar, Ponnur further reported that he had also recorded the statements from the mother and brother of Imadabattuni Veeranjanyulu 1.)Imadabattuni Nagendramma and 2.)Imadabattuni Ramesh on 14-05-2016 wherein they stated that Imadabattuni Veeranjanyulu has deserted from their house at the age of 11 years and they are not having any contact with him so far and they do not know about his whereabouts. The father (i.e. Imadabattuni Venkata kotaiah) of Imadabattuni Veeranjanyulu has died 14 years back. Imadabattuni Veeranjanyulu is also having Voter ID Card bearing No. AP160980363468 at Bapatla Municipality (**Voter ID enclosed**). (**Statements of Mother and brother enclosed**).

The Tahsildar stated that the statements given by the relatives and neighbours of Imadabattuni Veeranjanyulu S/o Venkata Kotaiah reveal that Imadabattuni Veeranjanyulu S/o Venkata Kotaiah belongs to Telaga(OC) by caste. Finally, the Tahsildar Ponnur stated that Imadabattuni Veeranjanyulu S/o Venkata Kotaiah assumed his name as Kathi David Raju S/o Yedukonadlu who belongs to Telaga(OC) by caste and utilized the Yanadi (ST) caste on the name of Kathi David Raju S/o Yedukondalu for his selfishness and for illegal benefits from the Government by using false Caste Certificate.

The Tahsildar Ponnur further submitted that the Tahsildar, Guntur had sent a report to the Revenue Divisional Officer, Guntur to take necessary action against Imadabattuni Veeranjanyulu S/o Venkata Kotaiah who secured Be-lated Death Certificate of Smt Kathi Nagendramma W/o Yedukondalu shown to have died on 20-01-2014 in Guntur under forgery and cheating vide Rc.No.197/2016, dt.07-04-2016 though she is alive at Bapatla. In this connection the Revenue Divisional Officer, Guntur cancelled the death certificate proceedings issued by him in the name of Smt Kathi Nagendramma vide proceedings Rc.No.3143/2016-H, dt.19-04-2016 basing on the verification report submitted by the Tahsildar, Guntur.

Further it is also reported that the Tahsildar, Guntur has filed a complaint against Imadabattuni Veeranjanyulu in Guntur P.S. as he obtained Be-lated Death Certificate of Smt Kathi Nagendramma by giving false information and forged documents under Section 420 IPC and other relevant Sections and the Guntur Town Police registered a Case against Imadabattuni Veeranjanyulu @ Kathi David Raju vide FIR No.103/2016, dt.22-04-2016 (**FIR Copy enclosed**) and the accused was remanded at District Jail, Guntur. While the accused was present in the District Jail, Guntur, the Tahsildar Ponnur visited the sub jail on 20-06-2016 and recorded a statement from Kathi David Raju (real name Imadabattuni Veeranjanyulu).

The Tahsildar, Ponnuru further also stated that Sri Imadabattuni Veeranjanyulu S/o Venkata Kotaiah @ Kathi David Raju S/o Yedukondalu stated that his father Kathi Yedukondalu S/o Venkata Swami died on 22.02.1996 at Bodapadu Village of Amarthaluru Mandal. The Tahsildar verified the original death register of Bodapadu Village for the year 1996 it is noticed that the name of Kathi Yedukondalu S/o Venkata Swami is added by correction of serial numbers 2 to 13 and the same was reported to Revenue Divisional Officer, Tenali by the Tahsildar, Amarthaluru Mandal.

In the above circumstances, Sri Ramavath Krishna Naik, A.P. State President, Nagara Bheri Lambadi Hakkula Porata Samithi, Guntur has filed a petition to take necessary action against Sri Imadabattuni Veeranjanyulu S/o Venkata Kotaiah by caste Telaga(OC) who assumed his name as Kathi David Raju S/o Yedukondalu by using Yanadi (ST) Caste Certificate and he submitted several documents relating to Imadabattuni Veeranjanyulu S/o Venkata Kotaiah to show that he is not a ST Candidate and he filed report to the Police, Bapatla Town for taking necessary action. On the basis of the complaint, the police investigated into the matter and revealed that Imadabattuni Veeranjanyulu S/o Venkata Kotaiah by caste Telaga (OC) who assumed his name as Kathi David Raju S/o Yedukondalu by using S.T. Yanadi Caste Certificate illegally and the Police, Bapatla Town registered a case against him vide FIR.No.3/2016, dt.06-01-2016 and remanded him into judicial custody.

The Tahsildar Ponnuru further stated that Sri Imadabattuni Veeranjanyulu S/o Venkata Kotaiah @ Kathi David Raju S/o Yedukondalu has filed a W.P.No.4935/2016 before the Hon'ble High Court, Hyderabad for seeking a direction to suspend all further proceedings in Crime No.03/2016 filed by the Bapatla Town P.S. The Hon'ble High Court has granted Interim Orders on 16-02-2016 as follows:

“Perusal of the complainant, which led to the registration of Crime No.3 of 2016 of Bapatla Town accord lice Station, reflects that the offence is with regard to genuineness of a Caste Certificate. As machinery has been provided under a separate statute with regard to this aspect, the police authorities would prima facie have no power to deal with the issue. There shall accordingly interim suspension as prayed for.” (Interim Order copy enclosed).

The Tahsildar Ponnur finally reported that in the circumstances stated above basing on the enquiry made by him that Sri Imadabattuni Veeranjanyulu S/o Venkata Kotaiah who belongs to Telaga (OC) by Caste, and is presently working as Addl. Assist. Engineer in Dr.NTTPS (V.T.P.S) Electricity Generation

Corporation, Ibrahimpatnam, Vijayawada, Krishna District. He assumed the name of Kathi David Raju S/o Yedukondalu, who belongs to Yanadi (ST) by Caste by securing false Caste Certificate, by manipulation and forgery of the documents and also got employment under ST backlog quota though he belongs to Telaga (OC) by Caste and he cheated the Government, Government Officials and breached the rights of ST reservation. His employer noticed all these facts and suspended the individual from service and the individual remanded to Judicial Custody from 12-01-2016 to 29-01-2016 vide Memo.No. CGM/Adm.1 S&ERP/DS/(Adm)/AS(Adm)/P.O-A/46/2016, dt.26-01-2016 of the A.P. Power Generation Corporation Ltd., Vidyuth Soudha, Hyderabad.

The Tahsildar, Ponnur therefore reported that the Caste Certificate issued from his Office in the year 1996 to Kathi David Raju S/o Yedukondalu as Yanadi (ST) (i.e. taken by Imadabattuni Veeranjanyulu S/o Venkata Kotaiah) is not genuine as he belongs to Telaga (OC) by Caste and he obtained the Caste Certificate of ST, Yanadi fraudulently by producing false information and forged documents by impersonation with assumed name of Kathi David Raju S/o Yedukondalu.

Finally, the Tahsildar, Ponnur requested that the Yanadi (S.T) Caste Certificate taken by Imadabattuni Veeranjanyulu S/o Venkata Kotaiah with assumed name of Kathi David Raju S/o Yedukondalu from Tahsildar's Office, Ponnur may kindly be referred to District Level Screening Committee (DLSC) for cancellation and enclosed the record of enquiry for kind perusal.

#### **PROCEEDINGS OF D.L.S.C.:**

As per the orders of the Collector, the matter was placed before the District Level Scrutiny Committee under the Chairmanship of the Joint Collector. Notice in Form - VI dt.21.01.17 was issued to the individual to attend before the committee for enquiry on 28.1.2017. The individual has attended before the Scrutiny Committee. He submitted affidavit / written statement dated 31.01.2017 enclosing the following documents in support of his caste claim.

#### ***Full text of the deposition of Sri KATHI DAVID RAJU S/o.YEDUKONDALU is reproduced below:***

I submit that, my name is Kathi David Raju. I am at present, working as Addl.Asst.Engineer in the APGENCO (Dr.NTTPS, Ibrahimpatnam, Vijayawada). The name of my father is Yedukondalu and that of my mother is Nagendramma. My parents hailed from the Kavali Railway Station area of the Nellore District. They are Yanadi by caste (Scheduled Tribe). When I was a toddler, my parents migrated to the Matsyapuri colony / Kanakadri Nagar/ Yanadi Sangam,

Suryalanka Road, Muthayapalem Panchayathi, Near Bapatla, Guntur District, to eke out our livelihood. My father was living as a Agricultural laborer, trained in catching rats/ rodents from the paddy fields. My mother was engaging herself as a skivvy. I am the only issue to my parents. I studied upto the 5<sup>th</sup> class in the Elementary School of the Matsyapuri colony i.e. I studied upto 1<sup>st</sup> to 4<sup>th</sup> class by way of private study and I did the 5<sup>th</sup> class in the Elementary school of the Matsyapuri Colony, Bapatla, Guntur District. Thereafter during the academic year 1985-86, I joined the 6<sup>th</sup> class in the Bapatla Municipal High School. After I completed my 6<sup>th</sup> class my father left for Ponnur and while maintaining the family at Ponnur, he used to work at Bodapadu village, to watch the fields. Thereafter, I along with my parents left for Nidubrolu, Guntur District, where they raised a hut in the poramboke land behind the Government Hospital for their staying. My father used to go to the Bodapadu village to carryout his evocation. I used to stay at home without further studies. Thereafter in the year 1994 I left for Guntur to serve as a masonry assistant, where I used to stay in the NGO colony along with the other labor near the Reddy College. While I was staying at Guntur I developed intimacy with one Annapurna, who belongs to the forward caste Kapu community, who is the daughter of Sri Peta Subbarao, that blossomed into our love. Annapurna has one elder brother and two younger brothers. There, at Guntur, I, with the advice of my teachers, appeared in the SSC exam as a private candidate, by taking up nocturnal studies and working during the matutinal and day times with the aid of private tuitions. Since I completed 14 years, I was eligible to appear in the SSC examination by way of private appearance, based on my exsiting 6<sup>th</sup> class qualification. In the year 1996, February, my father passed any and my mother started staying with me. Thereafter the parents of Annapurna got wind of her love affair with me. They outright shunned the love between me and the said Annapurna and refused our love and the proposal for our matrimony. I, in the month of November, 1995 paid fee in the Bapatla Municipal High School and appeared in the SSC examination in March/ April 1996. In the month of May of the same year, the parents of Annapurna who were against exogamy, refused to give her hand in marriage with me and they, got her marriage performed with one Sri Imadabattuni Veernjaneyulu S/o.Venkata Kotaiah on 5.5.1996 at Sri Malleswara Swamy Temple, Pedakakani, Guntur District. I appeared in the SSC examination as a private candidate and wrote the examination in the Salvation Army School, at Bapatla, Guntur District. Annapurna, having developed a marital discord with her husband for want of love for him and unable to give up her love for me, joined me within 20 days after her marriage, by deserting her husband. Therefore Annapurna & I and my mother left for Kondapalli near Vijayawada, Krishna District, unable to stay in the Guntur District as Society in the Guntur District, did not approve of our live in relationship and I setup my kapuram

(family) there at Kondapalli, Krishna District. I with an ardent desire to pursue further studies joined the A.A.N.M. & V.V.R.S.R.Polytechnic College, Gudlavalleru, Krishna District in the year 1996, to study Polytechnic. While I was pursuing the Polytechnic Diploma Course, the Social Welfare Officers entertained a doubt whether my surname Kathi exists in the Yanadi ST community. Therefore they, by appreciating the 6<sup>th</sup> class TC containing my caste Yanadi (ST), issued by the said Municipal High School, Bapatla, Guntur District, permitted me to continue my Polytechnic studies as an ST candidate, preceded by a caste enquiry by the Social Welfare Department, Masab Tank, Hyderabad, in which myself and my mother were examined. I stayed in a room near my polytechnic college and my mother and Annapurna used to stay at Kondapalli. On 17.6.1997 Annapurna delivered a female child, fathered by me, who, stood named Triveni. In the year 1998, I got a job as an RTC Bus Conductor at the Bapatla Bus Depot, Guntur District, through the Employment Exchange. I worked as Conductor for one month and with the Departmental permission, I completed the Final Year of my Polytechnic in the year 1999. On 10.10.1999 Annapurna and myself begot a male child who stood named Raja Ravindra. After I completed my polytechnic course I shifted my family to the Annapurna colony of Guntur and I continued to work as the permanent RTC Conductor at Bapatla. It is significant that the special branch Police conducted my caste and person enquiry and submitted reports to the RTC that I am a Scheduled Tribe Yanadi basing on which my post became permanent in the RTC. While working as such in the RTC, I applied for the post of Sub Engineer (Electrical) in Vijayawada Thermal Power Station i.e. VTPS (now renamed as Dr.Narla Tata Rao Thermal Power Station), Ibrahimpatnam, Vijayawada, Krishna District in response to a job recruitment Notification and I joined the VTPS as Sub Engineer (Electrical) in the year 2002, based on my ST certificate, having resigned to the post of RTC conductor. Thereafter I shifted my family to the Quarters of Dr.NTTPS, Kondapalli, I got promotion as the Addl.Asst.Engineer in the year 2010. My daughter is studying L.L.B. in the Alliance University Bangalore and my son is studying 2<sup>nd</sup> year Intermediate. My caste enquiry by the Special Branch, when I joined the Dr.NTTPS, Ibrahimpatnam confirmed that I was an ST (YANADI).

I submit that, while that being the position one Ramavath Krishna Naik & Bapatla Yesubabu, who are the self styled State Presidents of their fictitious Scheduled Tribe Welfare caste organizations, namely Nagarabheri Lambadi Hakkula Porata Samithi, Guntur District, with fake registration No.9847/2000 and Scheduled Tegala Yanadi Abhivrudhi Mariyu Samkshema Association, Guntur District, lodged a complaint with the Bapatla Town Police Station on 6.1.2016 alleging that I belong to the Telaga community a forward caste, that I secured a caste certificate as Yanadi (scheduled Tribe) and that I fraudulently obtained



employment in the Government. Their allegation is that Annapurna, while receiving a gift deed executed by her father, giving her away some land, described herself in the registered document that she is the wife of one Veeranjanyulu. Therefore, I am not her husband according to them. When I asked Annapurna, about it she replied that she described herself as the wife of Veeranjanyulu, as he happens to be her real husband and as she is living only as my companion. Thereafter, on 11.1.2016, the Bapatla Police, arrested me from my quarter at Ibrahimpatnam on the ground that they registered a case vide Crime No.03/2016 on 06.01.2016, based on the complaint of the said Ramavath Krishna Naik & Bapatla Yesubabu u/s.120 B, 465, 468, 471, 419 & 420 IPC. No section 41(A) notice under Cr.P.C. in the light of the Principles laid down by the Supreme Court in the case of ARNESH KUMAR Vs STATE OF BIHAR (2014) 8 SCC 273 JUDIS the Supreme Court of India website dated 02/07/2014, was issued. I was remanded by the Court of Junior Civil Judge, Bapatla for 28 days and stood enlarged on Regular bail. I stood placed under suspension vide orders of the MD., APGENCO dated 26.1.2016. in fact Ramavath Krishna Naik & Bapatla Yesubabu are BLACKMAILERS who do not have any registered Associations, office bearers and any avowed objectives. In fact the District Registrar vide his letter dated 15.12.2016, informed me, to the effect that the said Organization being represented by the Ramavath Krishna Naik is fake. The organization of the Bapatla Yesu Babu does not exist at all. Both the said fellows have been blackmailing me, to part with my land in their favor, at Guntur, and on my refusal, both the rogues, resorted to the above false F.I.R. aided and abetted by certain reckless elements, for certain illegal gratifications. Ramavath Krishna Naik & Bapatla Yesubabu accompanied by their fake office bearers and others came to my work place at Dr.NTTPS, Ibrahimpatnam, Vijayawada, on 02.01.2016, between 11.00 AM to 12.00PM and blackmailed me, that they would implicate me in false cases if I did not register in their favour my land admeasuring 165.08/9 Square yards, situate at Guntur District.

I submit that, I belong to Yanadi (Scheduled Tribe Community). I have not cheated anybody and I have not played any fraud in securing either my caste certificate or employment. Ramavath Krishna Naik & Bapatla Yesubabu without any bare minimum understanding of my background, overzealously, lodged the complaint, that contains in toto the information asymmetry. In fact Imadabattuni Veeranjanyulu is a different person whose father's name is Venkata Kotaiah, who belongs to the Telaga Community (O.C). whereas I am a different person, by name Kathi David Raju and my father's name is Kathi Yedukondalu, who belongs to Yanadi, a Scheduled Tribe Community. Therefore I belong to the Scheduled Tribe Community, Smt.Annapurna, the wife Imadabattuni Veeranjanyulu, has been living with me and we begot two

children as stated above. Since the mother of Annapurna did not like my name to be shown in the Hospital records, I am an inferior Tribal, she got the name of Sri Imadabattuni Veeranjanyulu who is the original husband of Annapurna, recorded as the father of my first issue i.e. Triveni, i.e. Hospital records of Saint Joseph Hospital, Guntur. In the same hospital record as far as my second issue Raja Ravindra is concerned, my name i.e. Kathi David Raju stands shown as his father, which was got recorded by the brother of Annapurna. I am herewith filing proofs/ documentary evidence, and arguments before the District Level Scrutiny Committee, for caste verification. In fact the permanent ST caste certificate was issued to me by the authority competent which was verified at every stage. When I got the job as RTC conductor and Sub Engineer, my caste certificate was subjected to scrutiny / verification by the Special Branch Police. The Death certificates of my parents, the marriage certificate of Smt. Annapurna, and my 6<sup>th</sup> class Admission Register copy, Transfer Certificate & Study certificate issued by Bapatla Municipal High School, application Form for the post of RTC Conductor, RTC Conductor License issued by the RTA Guntur, 7 years residence certificate and temporary caste certificate issued by MRO., Ponnur, are being filed herewith as material papers. In fact Smt. Annapurna got issued legal notices dated 24.2.2016 and 31.3.2016, calling upon Ramavath Krishna Naik & Bapatla Yesubabu to furnish, the details and the status of their caste organizations along with their community certificates. However, they did not respond, which proves that they are running fake caste Associations, with fake Schedule Tribe Caste Certificates. In fact Ramavath Krishna Naik is not even paying rents to the Guntur Municipality that gave him a room by way of a registered lease deed dated 6.5.2011, Doc.No.5366/2011 for running Caste Association, for want of knowledge that it is a fake association. In fact a notice was given to the said Municipal Corporation on 23.12.2016, to initiate Civil and Criminal action against the said Ramavath Krishna Naik. However an account of the influence of the Ramavath Krishna Naik, action against him is delayed by the said Guntur Municipal Corporation.

I submit that, the Bapatla Police do not have any sort of Jurisdiction to entertain the present Crime No.3/2016 and to investigate it. I stand arraigned as Accused No.1 in Crime No.3/2016 on the file of Bapatla Police station, for an alleged offenses U/.section 465, 468, 471 & 420 IPC, registered on the strength of a false complaint of the Ramavath Krishna Naik & Bapatla Yesubabu, alleging that I produced a false Scheduled Tribal Caste Certificate (YANADI), even though according to them I actually belong to the Telaga Community a forward caste and even though according to them my name is Imadabattuni Veeranjanyulu. The further allegation is that I obtained a job as a Addl.Asst.

Engineer in the A.P.Genco, a State Government Electricity Organization. Annapurna for no reasons stands arraigned as the Accused No.2.

I respectfully submit that, the police, are not entitled to conduct caste enquiry. In this case, I studied Polytechnic as a Scheduled Tribe and obtained job as a Scheduled Tribe. My caste as Scheduled Tribe was duly certified by the Authorities Competent under the Andhra Pradesh (Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act 1993, which came into force on 15.05.1997, herein after called the Act, under which the procedure for issuance of the Scheduled Tribe Caste Certificate, is contemplated and penalty for securing false caste certificate is also provided, which is under section 10 thereof, which is not less than 6 months which may extent up to two years with a fine which shall not be less than One Thousand Rupees, but which may extent up to Rs.5000/- and the Court may, for adequate and special reasons impose, a sentence of imprisonment for a lesser term or fine. Under section 4 of the Act Caste Certificate can be issued which may be cancelled U/s.5 by the District Collector (currently through District Level Scrutiny Constituted by District Collector, headed by the Joint Collector and four other members). If the caste certificate is found to be fake, it can be agitated by way of Appeal and Review u/s.7 and by way of Revision before the Government U/s.8 Section 21 of the Act lays down as follows:

“ Transitional Provisions : A community certificate issued by any authority competent to issue the same under the relevant Rules or Orders before the commencement of this Act shall, unless it is cancelled under the provisions of this Act, be valid and shall be deemed to have been issued under the provisions of this Act.”

I submit that, according to the above section which is self-explanatory, the certificate already issued, continues to be in force unless it is cancelled under this Act and it continues to hold good. The Scheduled Tribe caste certificate issued after the commencement of the Act must be cancelled only by the District Collector through the Committee Constituted by him. If any even the caste issue and the person connected to it, have to be decided under the Act and any penalty must flow from the in-built Penal Provisions of the Act. The Act is one dealing with the procedural as well as penal provisions. Therefore the registering the FIR under the Indian Penal Code is an abuse of the process of law. The Police cannot proceed with the matter, as it is the District Level Scrutiny Committee Constituted by the District Collector, which is the authority Competent, to cause a caste Enquiry made, including the issue regarding the fraud in obtaining the Caste Certificate. The police are not competent. Even if

a decision is taken by the District Level Scrutiny Committee, it is subject to Appeal, Review and Revision. Thereafter if any fraud is traced, the Penal provisions under the Act operate but not the Penal provisions of the Indian Penal Code. In this case all the provisions of the Indian Penal Code stated above are punishable with imprisonment not above 7 years and two of them are bailable. In spite of this section 41(A) Cr.P.C. notice was not issued by the Police who arrested me from my quarter at Ibrahimpatnam, Vijayawada provided by the APEGenco. The learned Magistrate also without noting her satisfaction regarding the compliance with the Section 41(A) notice under the Cr.P.C. mechanically remanded me. Thus the law declared by the Supreme Court of India in the case of Arnesk Kumar Vs State of Bihar (2014) 8 SCC 273=AIR 2014(SC)2756, remains ignored both the Police as well as the Magistrate.

I submit that, I am absolutely innocent. My name is Kathi David Raju S/o.Yedukondalu. I am a Scheduled Tribe Yanadi. My caste certificate certifying him as a Schedule Tribe issued by the Mandal Revenue Officer, Ponnur Guntur District on 14.8.1996, is intact which has not been cancelled.

I submit that, thus it is the District Collector who has to initiate action against the fraudulent caste certificate holder under section 10, 11& 12 of the Act, by filing a complaint with the Court of Competent jurisdiction under 15 of the Rules. Action can also be initiated by the District Collector against those officials who issue the false Community, nativity and Date of Birth Certificate. Thus in the instant case, till the District Collector, Guntur pursuant to the findings of the District Level Scrutiny Committee, lays a complaint with the Court of Competent Magistrate, by way of a private complaint, the Bapatla police have no jurisdiction to entertain the present FIR. It is significant that even for fraud, under Section 10, there is a penalty which is *pari materia* with the provisions of the Indian Penal Code. Thus when the adjective Law including the Penal Law contained U/s.10 of the Act, operates, the Police have no jurisdiction to entertain the present FIR and they exceeded their jurisdiction by registering the FIR, ignoring the in-built procedural as well as the Penal provisions of the self contained Act. Moreover, since it is the District Collector who should act as the complainant and since it is the Court of Competent Criminal Jurisdiction that has to decide the issue pertaining to the cognizance of the offenses under the Act, the act of the Bapatla P.S. in registering and entertaining the present FIR is premature, illegal, arbitrary and without jurisdiction. Under Section 9 of the Act the Caste Scrutiny authority is a Civil Court, which jurisdictions cannot be usurped by the Police, arising out a caste discrepancy case, at the instance of the half-baked knowledge of the Ramavath

Krishna Naik & Bapatla Yesubabu who created a case ex-nihilo with the help of their fake organizations. However I have every material to place before the District Level Scrutiny Committee to prove totedem verbis, the genuineness of Scheduled Tribe Caste Certificate. The Bapatla Police must be restrained from proceeding further, who have already arbitrarily arrested me and got me remanded for nearly one month, which is ex-facie illegal.

While that being the position the reckless Ramavath Krishna Naik, the Blackmailer, using his influence in the Guntur Municipal Corporation, Guntur got changed all the particular pertaining to the burial of my mother and inserted fake material in the file pertaining to the burial particulars of my mother. As stated above, Ramavathi Krishna Naik has considerable influence in the office of the Municipal Corporation, Guntur where he obtained a room to run his fake association without paying rents. He also got considerable influence with the Tahsildar, Guntur. Therefore, he lodged another complaint with the RDO., Guntur stating that I obtained a false burial Ground Certificate of my mother and the Tahsildar, Guntur, who was in collusion with the said Ramavath Krishna Naik, got registered Crime No.103/2016, Arundalapeta P.S. Guntur u/s.420 and I was remanded for judicial Custody for 49 days in this Crime. The RDO., Guntur, without examining me, without conducting any enquiry, and without examining the rouge Ramavath Krishna Naik and his abettors, mechanically cancelled on 19.4.2016, the burial certificate of my mother dated 22.12.2015. Aggrieved by this unilateral cancellation, I moved the Hon'ble High Court of Andhra Pradesh by way of a Writ petition No.34634/2016 and the Hon'ble High Court was pleased to set aside the said order of the RDO, Guntur, granting him liberty, to conduct a fresh enquiry by giving an opportunity to me, in accordance with law. Since the RDO, Guntur was again committing a serious mistake in this fresh enquiry, without summoning the fake Complainants Ramavath Krishna Naik & Bapatla Yesubabu, and his gang. Smt.Annapurna got issued a detailed Legal Notice dated 30.12.2016, to conduct the enquiry by summoning the said fake complainant called Ramavath Krishna Naik and his gang to be cross examined by me. The enquiry still awaited. Thus every where Ramavath Krishna Naik and his gang are harming me, wielding influence Revenue and Police authorities. Who is behind Ramavath Krishna Naik and Bapatla Yesubabu and the reasons for these fake complaints, are very succinctly, depicted in the said notice dated 30.12.2016, which may kindly be treated as part and parcel of this Affidavit, for a detailed factual Matrix. The Legal Notice dated 30.12.2016 is being enclosed herewith which may be kindly be treated as an integral part of this affidavit, which discloses the fraud played by the said Ramavath Krishna Naik & Bapatla Yesubabu. Unless that legal notice read as part and parcel of this affidavit, this esteemed committee may not be able to appreciate the

background of the fraud being perpetrated by the said Ramavath Krishna Naik & his gang. To avoid repetition, length and monotony, the contents of the said legal notice dated 30.12.2016 are not extracted herein verbatim, with a fervent request to treat and read the said legal notice as a vital material paper to this affidavit. Like wise the legal notice dated 24.2.2016 & 31.3.2016, calling up the blackmailers called Ramavath Krishna Naik & Bapatla Yesu babu, to furnish their particulars which they failed to furnish may kindly be treated as part and parcel of this affidavit. More particular the letter issued by District Register, Guntur dated 15.12.2016, showing that the Association of Ramavath Krishna Naik is fake, may kindly be treated as part and parcel of this Affidavit, to appreciate the apparent fraud, played by Ramavath Krishna Naik & Bapatla Yesubabu and their gang. Here is a case where the Hon'ble District Level Scrutiny Committee stands constituted at the instance of two fake Associations represented by Ramavath Krishna Naik & Bapatla Yesubabu, who want to be illegally benefited by misusing/ abusing their fake associations, by blackmailing me to part with my land. Thus I, a Scheduled Tribe, am being oppressed and suppressed by these fake Associations, with the white collar offenders. These two fellows, used various manipulative tactics, by getting changed voter ID of Imadabattuni Veeranjanyulu, by showing on it my photograph and by hiding Imadabattuni Veeranjanyulu. These two fellows with the help of One Padi Naresh Babu, Immadisetty Venkat Rayudu and his family, are using their money and muscle power and they are influence the Tahsildar Ponnur and making every effort to create a picture against me and creating, evidence and events in their favor. In fact they are also using one Kathi John & Chinna John S/o.Kondalu to depose against me by picturising him as Kathi David Raju. All these details are very elaborately mentioned in the legal notice dated 30.12.2016 which may kindly be treated as part and parcel of this Affidavit. In any event, to effectively deal with the lies involved in the instance proceedings, the esteemed District Level Scrutiny Committee must necessarily, summon the said two Blackmailers called Ramavath Krishna Naik & Bapatla Yesubabu and their fake Association members, along with the copies their bye-laws and other particulars as requested to be furnished in the legal notice dated 24.2.2016 and 31.3.2016, to follow the due process of law as per the SC, ST & BC Issuance of Community Certificates Act, and they must be subjected to cross examinations and I am ready to be cross examined. Sri Padi Naresh Babu, who is the brain behind the Ramavath Krishna Naik & Bapatla Yesubabu, should be refrained from participating in the instant proceedings. He cannot be the author of the case and lawyer to act on behalf of the case created by himself. In fact the lawyer had no role in the proceedings of the D.L.S.C. and the lawyers should not be allowed in the proceedings of the D.L.S.C. as there is no provision in the SC, ST & BC Issuance of Community Certificates Act, to get the Caste enquiry conducted with the help of lawyer. I

must be examined to prove my caste and project my version and I must be given liberty to lead my evidence, with all my document. All the witnesses concerned must be summoned and I must be allowed to cross examine them, in the present enquiry. I must be given a fair opportunity to prove my case and innocence. The High Handed Act of the said Ramavath Krishna Naik and his gang who are threatening me by abusing the Police Machinery by implicating in false cases must be shunned and equally their efforts to influence the Revenue Staff, must equally be deprecated as the Ponnur Tahsildar and Guntur Tahsildar are under their heavy influence. It is very crucial for the Hon'ble D.L.S.C. to summon and examine the Tahsildar, Ponnur who issued me ST caste and all other connected officials in various levels to prove the truth. Hence this affidavit.

I, therefore, pray that this Hon'ble District Level Scrutiny Committee may be pleased to uphold my caste certificate as an ST Yanadi and save me and the members of my family as we are all suffering as I stand suspended my service and as I stood arrested twice, on account of the machinations of the said Ramavath Krishna Naik & Bapatla Yesubabu and their Criminal Gang, who humiliated me and caused my financial wreckage, by making me from one Court to other. Penultimately, I pray the esteemed committee to get Criminal Cases filed against the said Ramavath Krishna Naik and Bapatla Yesubabu and their gang and pass such other order or orders as this Hon'ble D.L.S.C. may deem fit and proper in the facts and circumstances of the case and in the interest of justice.

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The members and Chairman of District Level Scrutiny Committee, Guntur duly after examining the respondent, also the Tahsildar, material papers and the affidavit filed by the claimant opined that the case relating to the caste status of Sri Kathi David Raju who claims YANADI - ST shall be got enquired by the TCR & TI Wing of Tribal Welfare Department and also called for the enquiry reports of the Tahsildar, Bapatla and the Station Housing Officer, Bapatla Town P.S., Bapatla to decide the matter.

By invoking Sec.9, Rule 14 of the Andhra Pradesh(Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act, 1993 (Act 16 of 1993) and the rules given in G.O.Ms.No.58, Social Welfare (J) , dt.12.05.1997, the DLSC has exercised the powers of the civil court and by instituting the Tahsildar and the S.H.O for making local inquiry and inspections. Also this body directed TCR & TI to submit their recommendations in this regard.

**Report of the Tahsildar, Bapatla:**

The Tahsildar, Bapatla in Lr.Rc.751/2017/C, dated 29.9.2017 submitted his report stating that as per the report of the Mandal Revenue Inspector, as seen from the statement of Imadabattina Nagendramma W/o.Venkata Kotaiah (Mother of Imadabattina Veeranjanyulu) and Imadabattina Ramesh, Imadabattina Venkata Kotaiah, the father of Imadabattina Veeranjanyulu died 14 years ago. Imadabattina Nagendramma gave birth to one female child by name Siva Kumari, who is now married and is living with her husband. The elder male child Imadabattini Srinivasa Rao is also married and is living at Guntur. The second male child Imadabattini Veeranjanyulu went away from the house while he was 11 old years and he did not turn up. The Third son, Imadabattini Ramesh Babu is living at Immadisettyvaripalem, Bapatla along with his mother Imadabattini Nagendramma. He got married to the daughter of Allam Krishnamurthy and Kameswari, by name Nagalakshmi and she died in the month of April, 2015.

The Tahsildar, Bapatla further stated that as per the statement of Kathi David John S/o.Yedukondalu, Kathi Veenamba, Talapula Samudralu - Kathi Yedukondalu and Premavathi gave birth to two male and one female children.

Kathi David John is the elder one. He studied in elementary school of Matyapuri Colony, Bapatla from 1979 to 1985 and he joined in the 6<sup>th</sup> class at Municipal High School, Bapatla in the year 1986. At the time of his enrollment in school, due to illiteracy and ignorance his father entered his name as Kathi David Raju instead of Kathi David John and he discontinued his studies in 6<sup>th</sup> class and he is presently living as Rikshaw Puller and he did not obtain T.C. from Bapatla Municipal High School.

The Tahsildar, Bapatla further stated that as per the statement of Sk.Karimulla S/o.Nabi, he photographed and video-graphed on the marriage occasion of Imadabattini Ramesh who is the brother of Imadabattini Veeranjanyulu held on 15.2.2008 and he produced the marriage video and the photographs in the form of DVD which show Imadabattini Veeranjanyulu who assumed in the name of Kathi David Raju and their children Triveni and Raja Ravindra also participated in the marriage occasion and were photographed in their family photo along with other brothers and their mother. It reveals that the person working as Addl.Asst.Engineer in Dr.Narla Tatarao Thermal Power Station, Ibrahimpatnam, Vijayawada in the name of Kathi David Raju S/o.Yedukondalu is none other than the family member of Imadabattini Nagendramma and VenkataKotaiah (Late) and he is in good contacts with Imadabattini Nagendramma and others.

The statement of Kathi David John, Kathi Veenamba and Talapula Samudralu reveals that Imadabattina Veeranjanyulu secured the T.C. of Kathi David John (who joined as Kathi David Raju in 6<sup>th</sup> class at Municipal High School, Bapatla and discarded his studies) for obtaining caste certificate for employment on the basis of ST caste certificate.

The Tahsildar, Bapatla further stated that his verification reveals that Imadabattini Veeranjanyulu impersonated as Kathi David John using the name of Kathi David Raju, and obtained the caste certificate with false representation under the guise of T.C.Kathi David John. The writ petitions and criminal petitions filed by Kathi David Raju before the Hon'ble High Court of Judicature at Hyderabad for the state of Telangana and Andhra Pradesh the writ petition filed by Kathi David Raju in WP No.4935/2016 and the order dated 16.2.2016 was vacated by orders dated 6.1.2016 by the Hon'ble High Court in WVMP No.4652/2016 and the Bapatla Police were permitted to investigate into the matter. Kathi David Raju filed writ appeal No.95/2017 against the orders dated 6.1.2017 and on 20.1.2017 again the writ appeal No.95/2017 and the writ petition No.4935/2016 were dismissed as withdrawn by orders dated 20.1.2017 and miscellaneous petitions were also dismissed and the Tahsildar, Bapatla submitted a copy of report of MRI for perusal.

**Report of the Station Housing Officer, Bapatla P.S, Bapatla Town:**

The Station Housing Officer, Bapatla P.S., Bapatla Town in Lr.No.Nil, dated 25.3.2017 stated that “My predecessor in office of the Bapatla Town PS., the then Station House Officer Pasupuleti Veeranjanyulu registered the case in Crime No.03/2016 of Bapatla town PS on the basis of report of Ramavath Krishna Nayak and he conducted the investigation and recorded the statements of (1) Ramavath Krishna Nayak, (2) Bapatla Yesu Babu (3) Immadisetty Venkatarao (4) Chappidi Venkaiah (5) Shaik Jilani (6) Shaik Habiboon (7) Darabakula Sujatha (8) Immadisetty Venkataraidu (9) Immadisetty Krishnamjaneyulu (10) Makkineni Subba Rao (11) Kathi David John (12) Bathula Adhi Sesha Reddy (13) Kathi Mani Babu (14) Kathi Veenambha and prima facie case of offences U/s.120(B) 465, 468, 471, 419, 420 of IPC against Kathi David Raju S/o.Yedukondalu A/s.Imadabattuni Veeranjanyulu and u/s.120-B, 419, 420 of IPC against his wife Imadabattuni Annapurnamma were proved. Further, Kathi David Raju S/o.Yedukondalu @ Imadabattuni Veeranjanyulu was arrested and remanded to judicial custody. The remand report is enclosed herewith.”

“I took up investigation in this case and verified the previous investigation done by my predecessor and I filed memo for issue process for production of Kathi David Raju S/o.Yedukondalu @ Imadabattuni Veeranjanyulu and his mother Imadabattuni Nagendramma, and his brothers Srinivasa Rao and Ramesh before FSL, Hyderabad to conduct DNA test and the same is pending before the Honourable Addl.Junior Civil Judge at Bapatla.”

“The statements of neighbours and relatives are enclosed herewith, and it is revealed that Imadabattuni Veeranjanyulu is belonging to OC Telaga caste and he secured the Transfer Certificate of Kathi David John Alias Kathi David Raju and he impersonated as Kathi David Raju and secured the Transfer certificate and secured, caste certificate assuming his name as Kathi David Raju, certificate of ST Yanadi from Ponnur Tahsildar office on the basis of the Transfer Certificate of Kathi David Raju @ Kathi David John, resident of Kanakadri Nagar, Mastyapuri colony and got employment in Dr.NTTPS (VTPS), Ibrahimpatnam, Vijayawada on the basis of the caste certificate and cheated the management of the NTTPS, Ibrahimpatnam. Further, Imadabattuni Veeranjanyulu married Imadabattuni Annapurna, Telaga by caste and gave false declaration before the management of NTTPS Ibrahimpatnam as his wife name is Kathi Annapurna and cheated the management by giving false declaration enclosed herewith and Imadabattuni Annapurna is also added as A2 in Crime No.03/2016 of Bapatla Town PS.”

“Our investigation reveals that Imadabattuni Veeranjanyulu committed the offence of impersonation of Kathi David Raju @ Kathi David John who is examined as LW -11 and as per our case records, he clearly stated he studied 1<sup>st</sup> to 5<sup>th</sup> class in MPP School, Kanakadri Nagar, Bapatla and joined 6<sup>th</sup> class in Bapatla Municipal High School and he gave up his studies without writing examination and he is now living as a Rickshaw Puller. The witness, Kathi Mani Babu gave statement stating that Kathi David John is the Rickshaw Puller who studied at Kanakadri Nagar, MPP School, and joined in 6<sup>th</sup> class of Bapatla Municipal High School and discarded his studies. Thus, the investigation so far clearly established that Imadabattuni Veeranjanyulu S/o.Venkata Kotaiah who studied 10<sup>th</sup> class in his name as Imadabattuni Veeranjanyulu at Salvation Army School, Bapatla and discontinued his studies and secured the transfer certificate of Kathi David Raju impersonating himself as Kathi David Raju and secured ST Yanadi caste certificate from Tahsildar, Ponnur on the basis of transfer certificate of Kathi David Raju and got study certificates in the names Kathi David Raju. He got an employment on the basis of the ST Yanadi caste of Kathi David Raju by impersonation and cheating”.

Finally, the Station Housing Officer, Bapatla Town P.S., Bapatla Town stated that “Our investigation reveals that the caste certificate in the name of the Kathi David Raju ST Yanadhi is not genuine and it is obtained by Imadabattuni Veeranjanyulu S/o.Venkata Kotaiah of OC Telaga caste Immadisettivari palem, Bapatla. Now the process of DNA test of Imadabattuni Veeranjanyulu @ Kathi David Raju is in progress and the charge sheet will be filed on conclusion of Investigation and enclosed the (1) FIR in Crime No.3/2016 of Bapatla town PS on the report of Sri Ramakrishna Nayak, Guntur (2) The statements of List of Witnesses recorded by the Investigation Officer (3) The remand report of Imadabattuni Veeranjanyulu (4) The service Register of Kathi David Raju and the family member’s declaration”.

**Study of the Joint Director, TCR & TI., Vijayawada relating to the caste status of Sri Kathi David Raju who claims Yanadi - ST:**

The Joint Director, TCR & TI., Vijayawada in Lr.Rc.238/TRI/TSV/2017, dated 19.9.2017 has informed that as per the request of the Joint Collector, their office has requested Superintendent Engineer, Operations & Maintenance-II, AP, Generation Corporation Limited, Dr.NTTPS, Vijayawada to direct the candidate to furnish genealogical and ethnographic information and also produced the documentary evidences in support of his social status claim. In response to their office letter, the Superintendent Engineering, Dr.NTTPS, Vijayawada has directed the candidate to attend for enquiry of the O/o.CTW.,

A.P., Vijayawada for the above purpose. Based on the letter, the candidate has attended in their office and submitted his social status and Ethnographic information in the prescribed proforma (long questionnaire) duly enclosing copies of the documents already filed before the D.L.S.C. without furnishing information about his forefathers (mother and father side) and relatives and stated that, he has no relatives and enclosed the long questionnaire along with documents furnished by the above candidate with a request to take further enquiry and take further action in the matter.

At this juncture, the District Level Scrutiny Committee conducted meeting on 26.5.2018 under the Chairmanship of the Joint Collector, both the respondent and complainant attended and the respondent has filed some more documents in continuation of the affidavit filed on 31.01.17 to support his caste claim. The Tahsildar, Ponnur and the Tahsildar, Bapatla had also attended for the enquiry.

The District Level Scrutiny Committee reviewed the depositions along with document furnished by the respondent, enquiry reports of the Tahsildar, Ponnur ; Tahsildar, Bapatla; The Station Housing Officer, Bapatla Town P.S., Bapatla and The Joint Director, TCR & TI., Vijayawada with reference to the following Government Order.

G.O.Ms.No.58, Social Welfare (J) Dept., dated 12.5.1997 vide **BRINGING INTO FORCE OF ANDHRA PRADESH SCHEDULED CASTES SCHEDULED TRIBES AND BACKWARD CLASSES - ISSUE OF COMMUNITY, NATIVITY AND DATE OF BIRTH CERTIFICATES RULES, 1997** says that :

**Rule - 9 FRADULENT CLAIMS** : says that (1) Where the District Collector receives a written complaint from any person or has otherwise reason to believe that a person not belonging to a Scheduled Caste or Scheduled Tribe or Backward Class has obtained a false Community, Nativity and Date of Birth Certificate to the effect that either himself/herself or his/her children belong to such a Scheduled Caste/ Scheduled Tribe/ Backward Class, the District Collector shall refer the case to the Chairman, Scrutiny Committee i.e. Joint Collector of the District (formed under rule - 8) to enquire into such cases and send its findings to the District Collector.

**Act No.16 of 1993** - Andhra Pradesh Acts, Ordinances and Regulations etc. Section 6 - **BURDEN OF PROOF** : Where an application is made to the competent authority under Section 3 for the issue of a community certificate in

respect of Scheduled Castes, Scheduled Tribes or Backward Classes or in any enquiry conducted by the Competent authority or the authority empowered to cancel the community certificate or the appellate authority under this Act or in any trial or offence under this Act, the burden of proving that he belongs to such caste, Tribe or Class shall be on the claimant.

- **Opinion of the DLSC** :After going through the enquiry reports of the Revenue Department, Police Department ,The Joint Director, TCR & TI., Vijayawadaand material available on record, it is very clear that the certificate holder has claimed “YANADI - ST “ caste status with a fraudulent manner as Imadabattuni Veeranjanyulu impersonated as Kathi David John in the name of Kathi David Raju and obtained the caste certificate with false representation under guise of T.C. of Kathi David John. Basing on that, Sri Imadabattuni Veeranjanyulu S/o.Venkata Kotaiah ,Telaga(OC) by caste has secured job under ST backlog quota.His family and marital status and consequent Regd. Gift Deed executed vide Document No. 1710/2007 discloses that Imadabattuni Veeranjanyulu S/o.Venkata Kotaiah who married Peta Annapurnamma D/o.Peda Subba Rao ,belongs to Telaga- OC by caste. Further, the birth reports provided by the St.Joseph General Hospital, Guntur clearly show that Imadabattuni Veeranjanyulu and Kathi David Raju are one and the same person.

The original Kathi David Raju @ Kathi David John S/o.Yedukondalu who belongs to Yanadi caste, is a Rikshaw puller at Bapatla Town.

The individual failed to produce information regarding his fore fathers and blood relatives (Maternal side / Paternal side ) and Caste elders proofs since the caste of a person would have to be determined upon the recognition received from the members of the community either of the parents and the acceptance of the caste people and also the copy of the enquiry report of the Social Welfare Department, Masab Tank, Hyderabad said to be conducted at the time of studying Polytechnic in support to prove his caste claim as the burden of proof lies on him.

It is proved beyond doubt that Sri Imadabattuni Veeranjanyulu has lived a ‘life of decheid’. He purposefully led his life posing himself a KATHI DAVID RAJU, reaping all the constitutional benefits / entitlements that flow from ST reservation. When questioned about his presence in the several family photographs, he feigned ignorance about his own mother. He denied that she is his mother. Further, he went to the extent of saying his wife is somebody else

wife and is now living with him as his partner. Such ghastly statements about his own mother and wife, only reveal his criminal intent to cheat the law. Hon'ble Supreme Court, on several occasions, has held that such bogus claims are nothing but a fraud on constitution and deny a genuine person of his constitutional rights. Further, the claim of his ST caste status has been proved false in all enquiries - Tahsildar, Ponnur; Tahsildar, Bapatla; Joint Director, TCR & TI, APGENCO authorities (his employer).

The District Level Scrutiny Committee reviewed the depositions and the documents furnished by the respondent, enquiry reports of the Tahsildar, Ponnur; Tahsildar, Bapatla; the Station House Officer, Bapatla Town P.S., Bapatla and the Joint Director, TCR & TI., Vijayawada and noticed that the respondent not filed the following documents to support his claim:

1. A copy of the enquiry report of the Social Welfare Department, Masab Tank, Hyderabad claimed by the respondent.
2. Information regarding his fore fathers and blood relatives both Maternal and Paternal side and proofs in respect of caste elders. Therefore, the Committee has resolved that the "YANADI - ST" caste certificate issued by the Mandal Revenue Officer, Ponnur on 14.8.1996 and Certificate No.78/97 dated 29.10.1997 in favour of Sri Kathi David Raju S/o.Yedukondalu needs to be cancelled.

The District Level Scrutiny Committee submitted its findings dt. 27.7.2018 to the District Collector, Guntur, recommending the cancellation of "YANADI - ST" caste certificate issued to Sri Kathi David Raju S/o.Yedukondalu by the Mandal Revenue Officer, Ponnur on 14.8.1996 and certificate No.78/97 dated 29.10.1997.

Show Cause Notice dt.22.09.2018 was issued to Sri Kathi David Raju S/o.Yedukondalu alias Imadabattuni Veeranjanyulu S/o Venkata Kotaiah calling for explanation of the individual as to why the Yanadi-ST caste certificate issued to him on 14.08.1996 and another certificate dt.29.10.1997 and all other certificates if any should not be cancelled within 15 days of the receipt of the Notice or else the caste certificates earlier issued are liable to be cancelled. The show cause notice along with a copy of the findings of the DLSC and the material papers containing 297 pages handed over to the claimant on 10.10.2018. The claimant acknowledged receipt of the show cause notice and the material papers in his own hand writing.

In reply to the above show cause notice, the respondent sent a letter communication on 24.10.2018 posing 59 questions and he also sought to give him an opportunity of personal oral hearing to prove his case.

The letter communication dt.24.10.2018 sent by the writ petitioner, was duly examined by the District Collector, Guntur. It is also noticed that the claimant is intentionally trying to divert the issue with a view to drag on the issue without being decided.

An endorsement dt.02-01-2020 was issued to the claimant duly answering all the queries raised by the claimant Sri Kathi David Raju (real name: Imadabattuni Veeranjanyulu), it is informed to the claimant that the DLSC has conducted the enquiry duly following the procedure prescribed under Rule - 9 of the Andhra Pradesh(Scheduled Castes, Scheduled Tribes and Backward Classes) Regulation of Issue of Community Certificates Act, 1993 (Act 16 of 1993) and the rules given in G.O.Ms.No.58, Social Welfare (J) , dt.12.05.1997, by already giving due opportunity of personal hearing to the claimant. He appeared before the DLSC on 28.01.2017, he filed his affidavit and documents in support of his claim on 31.01.2017; he again appeared before the DLSC on 26.05.2018 and filed additional affidavit in continuation of his affidavit 31.01.2017. He appeared before the Authorities of TCR & TI, Vijayawada. Therefore his plea that due opportunity was not given to him is not correct. This fact was informed to him by endorsement dt.02.01.2020.

However, the claimant filed a representation dated 11-01-2020 requesting to give him an opportunity of personal hearing before the DLSC, even though he is well aware that the DLSC had already completed its enquiry and submitted its findings to the District Collector and he was issued a show cause notice dated 22-09-2018 by the District Collector to file his detailed explanation as to why the Yanadi (ST) certificates obtained by him from the M.R.O., Ponnuru during 1996 and 1997 should not be cancelled. A copy of the findings of the DLSC together with material papers containing 297 pages were handed over to the claimant on 10-10-2018 along with a show cause notice dated 22-09-2018. In reply to the said show cause notice, he sent a letter communication dated 24-10-2018 posing 59 questions, without filing the details of his fore-fathers and blood relatives, which he is obliged to file to prove his claim.

The claimant in his reply to the show cause notice asked for the cross examination of the witnesses examined by the Tahsildar Ponnur and Bapatla. The claimant referred citations **2005(5) ALT 592** and **2001(1) ALT 688** stated that the **opportunity shall be given for the purpose of cross examination of the witnesses examined by the DLSC.**



In this case, the DLSC did not receive the affidavits of any witness except the affidavit of the claimant. Therefore the cross examination of the witnesses before the DLSC is not warranted.

***Sec-6 of the Regulation of issue of community certificates Act 1993 says the burden of proving that the claimant belongs to a particular caste, Tribe or class shall be on the claimant.***

The affidavit of the claimant and the documents produced by the claimant and the ***Tahsildar Ponnur and Tahsildar Bapatla are sufficient to come to a conclusion.***

After perusing the documents produced by the individual and the reports and the material papers submitted by the Tahsildar, Ponnur, Tahsildar Bapatla, S.H.O., Bapatla Town P.S. and the Joint Director of T.C.R. and T.I., Vijayawada District Level Screening Committee (DLSC), Guntur came to a conclusion that that the *“YANADI ST” caste certificate issued by the Mandal Revenue Officer, Ponnur on 14-08-1996 and Certificate No.78/97, dated 29-10-1997 in favour of Kathi David Raju S/o Yedukondalu needs to be cancelled.*

Despite number of opportunities provided to the claimant, yet another opportunity of personnel hearing was given to him on 01.02.2020.

Sri Kathi David Raju, who is facing the allegation of obtaining ST (Yanadi) caste certificate in the fake identity, he really being Imadabattuni Veeranjanyulu, belonging to Telaga(OC) caste attended for hearing before the District Collector, Guntur along with his advocate on 01-02-2020. Sri Ramavath Krishna Naik, who filed the complaint before the District Collector, Guntur stating that Sri Imadabattuni Veeranjanyulu, S/o Venkata Kotaiah is in the fake identity of Sri Kathi David Raju S/o Yedukondalu and obtained Yanadi (ST) caste certificate fraudulently and gained employment on ST reservation also present for the hearing on 01.02.2020.

It is noticed that Sri Kathi David Raju, the claimant failed to produce his blood relatives for enquiry. He failed to furnish the information about his fore-fathers. He failed to produce documentary evidence that he studied in Government Elementary School at Kanakadrinagar of Bapatla Mandal.

It is noticed that Sri Kathi David Raju, the claimant admitted that he attended the marriage function of Sri Imadabattuni Ramesh, who is the younger brother of Imadabattuni Veeranjanyulu. He also admitted during the enquiry that his children were born at St. Joseph Hospital, Guntur, but he obtained belated birth certificates of the children as if they were born at Kondapalli in Krishna District. He admitted that the name of Imadabattuni Veeranjanyulu

was entered as father of the girl child born at St. Joseph Hospital, Guntur. He also admitted that the name of Annapurna was entered as his wife in his service register opened at VTPS, Ibrahimpatnam at the time of his appointment as Sub Engineer. On the other hand, he stated that Peta Annapurna is not his legally wedded wife. He admitted that she is his consort. He also admitted that the said Annapurna has not legally divorced from Imadabattuni Veeranjanyulu, whom he admitted to be the real husband of Annapurna.

He also admitted that Sri Peta Subbarao, father of Annapurna executed a sale deed in the name of Imadabattuni Annapurna W/o Veeranjanyulu. He also admitted that Imadabattuni Veeranjanyulu signed as a witness in a registered correction deed executed by the father of Annapurna.

It is noticed that the petitioner referred to the Hon'ble High Court orders in W.P.No.38092 of 2018. In this connection it is noticed that at para 8 of the said order, the Hon'ble High Court observed that it is always open to the petitioner to place all the material in support of his claim before the District Collector and also to show that he belongs to Yanadi Scheduled Tribe community. It is noticed that the Hon'ble High Court has not considered the other contentions raised by the petitioner in the said writ petition.

**Gist of order dt:25-10-18 in W.P.No.38092/2018:** Since the petitioner has already filed his explanation to the show cause notice issued by the District Collector, Guntur and as stated by the counsel for petitioner, he has raised all the contentions as urged in the Writ Petition, he may have a grievance only if an adverse decision is taken by the competent authority without appreciating the stand of the petitioner as contended by him in his explanation and in such a case, petitioner can workout his remedies as available in law. As regards to other issue as to whether the certificate dt:01-03-2016 stating that Kathi Yedukondalu S/o Urumulaiah died on 21-01-2015, was false or not has no relevance in so far as the claim of petitioner is concerned, the Writ Petition cannot be maintained, it shall stand closed.

The petitioner filed W.P.No.10392/2019 seeking directions to the District Collector, Guntur not to finalise his proceedings pursuant to the show cause notice in Rc.No.14/2016-C4 dt:22-09-2018, till the outcome of the declaratory suits is pronounced in O.S.No.110/2018 on the file of the Court of P.J.C.J., Ponnur and in O.S.No.39/2019 on the file of P.J.C.J., Bapatla. The Hon'ble High Court after due enquiry in its order dt:08-08-2019 observed that as the suits filed by the petitioner are for the relief of declaration, which are filed subsequent to the enquiry, the enquiry pursuant to the show cause notice need not be stopped till the outcome of the said suits and that they will not become infructuous. The suits are declaratory suits and the show cause notice is with regard to the caste certificate of the petitioner. In the facts and the

circumstances of the case, as the petitioner has already submitted his explanation pursuant to the impugned notice dt:22-09-18, the District Collector is directed to complete the enquiry strictly in accordance with the law and pass appropriate orders.

**Discussion points:**

The claimant filed Xerox copies of the school certificates, caste certificates, his Aadhar card, Voter identity card, Pan Card, Employment I.D. Card, Death certificates, etc. He also filed copies of legal notices issued by I. Annapurnamma. He also filed Birth Certificates of his children stated to be obtained by I. Veeranjanyulu and by his name. He also filed some other papers in respect of Kathi John @ China John, S/o Kondalu. He also filed Xerox copy of Ration Card issued to him at Ibrahimpatnam.

A perusal of all the above documents show that Kathi David Raju S/o Yedukondalu obtained all the certificates basing on Transfer Certificate of Kathi David John S/o Yedukondalu, who joined in 6<sup>th</sup> Class in Municipal High School, Bapatla during the year 1985-86 and discontinued his studies and now leading his life as a Rikshaw puller at Bapatla Town. This Kathi John David stated before the Tahsildar, Ponnuru and Tahsildar, Bapatla that he belongs to Yanadi (ST). Kathi Yedukondalu and Kathi Premavathi were his parents, they gave birth to two male and one female children. He is the elder issue to their parents. He studied up to 5<sup>th</sup> Class in Government Elementary School at Kanakadrinagar. Later, he joined 6<sup>th</sup> Class in Municipal High School, Bapatla, his father recorded his name as Kathi David Raju instead of Kathi David John due to lack of knowledge, he discontinued 6<sup>th</sup> Class and later not pursued his studies. He has also not obtained any Transfer Certificate from the Municipal High School. His brother Kathi Daniel and sister Kathi Santikumari also studied in the same Government Elementary School at Kanakadrinagar.

The Tahsildar, Ponnur after due enquiry and after collecting relevant material evidences reported that Immadbathuni Veeranjanyulu, S/o Venkata Kotaiah, who belongs to Telaga(OC) caste, who had studied from 6<sup>th</sup> Class to 10<sup>th</sup> Class in Salvation Army High School, Bapatla and appeared for S.S.C. examination in April 1987 has later once again appeared for S.S.C. examination as a private candidate from Municipal High School, Bapatla in the year 1996 basing on the Transfer Certificate of Kathi David Raju, posing himself as Kathi David Raju. Thus, thereafter he managed to conceal his original identity of Imadabattuni Veeranjanyulu and claimed his identity as Kathi David Raju and he built up academic records by joining in Polytechinc College, Gudlavalleru in the name of Kathi David Raju, S/o Yedukondalu belonging to ST-Yanadi caste.

The claimant also managed his mother and other family members at Bapatla, who stated that Imadabattuni Veeranjaneeyulu had left their house at the age of 11 years and thereafter his whereabouts are not known to them. In fact, the Tahsildar, Bapatla produced a video C.D. and photos relating to the marriage occasion of Imadabattuni Ramesh, the younger brother of Imadabattuni Veeranjaneeyulu held on 15-02-2008 at Bapatla Town for which function Imadabattuni Veeranjaneeyulu, his wife Annapurna, their children Triveni and Raja Ravindra had attended and covered in the videos and photographs. Therefore, the mother and other relatives of Imadabattuni Veeranjaneeyulu are not true in their statement that Veeranjaneeyulu had left the house at the age of 11 years. In fact, his marriage was performed by the parents and relatives with Peta Annapurna, D/o Subbarao, resident of Manchala Village of Chebrole Mandal, who belongs to Telaga Caste.

It is also on record that the names of Imadabattuni Veeranjaneeyulu and Annapurna were entered as the father and mother of Imadabattuni Triveni in the St. Joseph Hospital records at Guntur, where Triveni was born on 17-06-1997.

It is also on record that Sri Peta Subbarao, father of Annapurna registered an extent of Ac.1.27 at Manchala Village of Chebrolu Mandal in the name of Imadabattuni Annapurna, wife of Veeranjaneeyulu as per register document No.815/2005 dt: 26-04-2005. Later, a correction deed was also executed in favour of Peta Annapurna as per Document No.1710/2007 dt: 27-07-2007 on which Imadabattuni Veeranjaneeyulu put his signature as witness.

The above evidences show that Imadabattuni Veeranjaneeyulu, who posed himself as Kathi David Raju and obtained ST-Yanadi caste certificate fraudulently is in good contacts with his mother and brothers at Bapatla and at the same time, his mother-in-law, father-in-law and brother-in-law, who are residing at Chebrolu and Guntur.

The enquiry report submitted by the Tahsildar, Ponnuru, the Tahsildar Bapatla, the enquiry report submitted by the S.H.O., Bapatla Town Police Station and the Joint Director of T.C.R. & T.I., Vijayawada and the material papers submitted by the enquiry officers clearly show that Imadabattuni Veeranjaneeyulu belonging to Telaga Caste has impersonated himself as Kathi David Raju belonging to Yanadi (ST) Caste by adopting the Transfer Certificate/Admission record etc. of Kathi David John, who belongs to Yanadi (ST), whose name was reportedly entered as Kathi David Raju by his father, Kathi Yedukondalu erroneously out of ignorance. It is pertinent to note that

the entire record in the Elementary School show that he is Kathi David John only.

The real Kathi David Raju @ David John S/o Yedukondalu belongs to ST-Yanadi, he is residing at Bapatla as a Rikshaw Puller, whereas Imadabattuni Veeranjanyulu who belongs to Telaga caste is in the mask of Kathi David Raju, with a fake identity.

The claimant failed to produce his blood relatives before the D.L.S.C. for enquiry. Moreover, he stated that he had no relatives on his behalf, which is not at all convincing. He filed death certificate of Kathi Yedukondalu claiming to be his father died on 22-02-1996 but not produced any witnesses to support his claim that his father died in the fields at Bodapadu Village and the burial was done at Bodapadu with the help of the Villagers as stated by him in his affidavit. In this connection the Tahsildar, Ponnuru stated that he verified the original death register of Bodapadu village for year 1996 and noticed that the name of Kathi Yedukondalu is inserted by correction of serial Nos 2 to 13 and the same was reported by the Tahsildar, Amarthaluru to the RDO, Tenali.

The claimant also filed the death certificate 20-01-2014 in respect of Kathi Nagendramma said to be his mother. It is reported that the Tahsildar, Guntur filed a complaint against the claimant that he obtained belated death certificate of Kathi Nagendramma by giving false information and forged documents, by producing the fake Burial ground receipt and false affidavits of Peta Ratnakumar, brother of Imadabattuni Annapurna and the elder brother of Imadabattuni Veeranjanyulu. On the other hand, Imadabattuni Nagendramma, mother of Imadabattuni Veeranjanyulu is alive at Bapatla. It is also relevant to note that Kathi Yedukondalu father of Kathi David Raju, the original candidate who belongs to Yanadi (ST), died on 15-12-2014 and Kathi Premavathi mother of said Kathi David Raju died on 21-01-2015 at Bapatla Mandal as per the records produced by the Tahsildar, Bapatla/Ponnur.

In this connection, the claimant in his explanation on 01-02-2020 alleged that the name of Kathi Urumulaiah was inserted in the death record at the instance of Ramavath Krishna Naik. The present Tahsildar, Bapatla enquired the Panchayat Secretary, Bapatla and confirmed that the above records filed by the Panchayat Secretary are genuine.

The claimant stated that Kathi Nagendramma, his mother died at Guntur Town in the house of Peta Ratna Kumar who is the brother in law of Imadanbattuni Veeranjanyulu. It is reported by the Tahsildar, Ponnuru that

the claimant produced the evidence of Imadabattuni Srinivasarao who is the elder brother of Imadabattuni Veeranjanyulu for obtaining the belated death certificate. All this show that Imadabattuni Veeranjanyulu who impersonated as Kathi David Raju is maintaining good contacts with both paternal side relatives and mother in law side relatives. He claimed that Peta Annapurna who married Imadabattuni Veeranjanyulu during the year 1995 deserted the said Veeranjanyulu and joined him (Kathi David Raju) as a partner, they lived together, on account of their extra marital relation that he had two children through her. If he were to be real Kathi David Raju, as claimed by him, he should have explained how Imadabattuni Srinivasarao, elder brother of Veeranjanyulu would maintain a relation with him. He should also have explained how he got entered the name of Annapurna, the wife of Veeranjanyulu as his wife in his service register. He should also explain how he got entered his name as the father of the children unless it is a legitimate marriage. Nowhere he stated that Peta Annapurna said to have deserted Imadabattuni Veeranjanyulu was legally divorced and he had married her legally.

On one hand, he claimed that Peta Annapurna W/o Veeranjanyulu was married on 05.05.1995 at pedakakani temple and she deserted her husband within 20 days of her marriage and joined him as his partner and he had two children through her. He also entered the name of Annapurna as Kathi Annapurna in his service register, at his place of employment showing her as his wife. On the other hand the said Annapurna obtained gift deeds in the name of Imadabathuni Annapurna w/o Imadabathuni Veeranjanyulu during the year 2005 and 2007. The claimant is saying that Imadabathuni Annapurna w/o Veeranjanyulu also issued legal notices on his behalf. He has not furnished proper explanation to these contradictory claims.

Sri Immadisetty Markandeyulu S/o Hanumantha Rao, Telaga caste, resident of Immadisettyvaripalem, Bapatla stated that he knew Imadabattuni Veeranjanyulu, S/o Venkata Kotaiah. The said Imadabattuni Veeranjanyulu is not residing at Bapatla at present. He further stated that he had seen Imadabattuni Veeranjanyulu at the time of "Pedda Karma Ceremony" of the wife of Imadabattuni Ramesh which took place in Guntur Town during the year 2015.. Later in the month of January 2016 he came to know that said Imadabattuni Veeranjanyulu has impersonated as Kathi David Raju belonging to ST- Yanadi Caste and obtained a false caste certificate basing on which he secured a job as Additional Engineer in NTPS, Ibrahimpatnam.

Sri Immadisetty Venkata Ramaiah stated that, Sri Imadabattuni Veeranjanyulu, S/o. Venkata Kotaiah is his Nephew (elder sister's son), the said Imadabattuni Veeranjanyulu and Imadabattuni Nagendramma filed a suit in the Hon'ble Senior Civil Judge, Bapatla regarding partition of the properties. He stated that the said Veeranjanyulu is working in Thermal Power Station. He

came to know that the said Imadabattuni Veeranjanyulu has impersonated as Kathi David Raju belonging to ST- Yanadi Caste and obtained a false caste certificate basing on which he secured a job as Additional Engineer in NTPS, Ibrahimpatnam, therefore on a complaint filed against him, the Town Police Station, Bapatla arrested him. All the above depositions given by the blood relatives of I. Veeranjanyulu confirm that he impersonated as Kathi David Raju and obtained ST-Yanadi caste certificate by fraud.

Sri Immadisetty Venkatrao S/o Venkatradri resident of Immadisettyvaripalem Bapatla, stated that Sri Imadabattuni Veeranjanyulu S/o Venkata Kotaiah had run a Pan shop at Bapatla Town opposite to the Pan shop run by him. During the year 1993, the said Imadabattuni Veeranjanyulu had filed a criminal case against him which was later dismissed. He came to know that the said Imadabattuni Veeranjanyulu has impersonated as Kathi David Raju belonging to ST- Yanadi Caste and obtained a false caste certificate basing on which he secured a job as Additional Engineer in NTPS, Ibrahimpatnam, therefore on a complaint filed against him, the Town Police Station, Bapatla arrested him.

Smt. Chennam Pushpavalli W/o. Sessaiah stated that Sri Imadabattuni Veeranjanyulu is the son of her elder sister, Smt. Imadabattuni Nagendramma. The marriage of Sri Imadabattuni Veeranjanyulu who is her elder sister's son was performed with Peta Annapurna belonging to Manchala Village at Pedakakani Temple in the presence of the elders for which she had also attended. Later the said Veeranjanyulu and Annapurna resided at Annapurna Nagar, near Gorantla. The said Annapurna, W/o. Veeranjanyulu gave birth to two children in St. Joseph Hospital, Guntur. On both occasions, she went to the hospital to see the children of Imadabattuni Veeranjanyulu who is her elder sister's son. She further stated that she had also visited their house at Gudlavalleru, when Peta Annapurna was pregnant. At that time Sri Veeranjanyulu had told her that the people at Gudlavalleru call him as David Raju since he has taken Christian Religion. Later she came to know that the said Veeranjanyulu was arrested by the Police of Bapatla Town Police Station, then she went to the Police Station and asked Veeranjanyulu about the reason for his arrest, then Sri Veeranjanyulu replied that he would inform everything after returning to home. Later she came to know that the said Imadabattuni Veeranjanyulu has impersonated as Kathi David Raju belonging to ST- Yanadi Caste and obtained a false caste certificate basing on which he secured a job as Additional Engineer in NTPS, Ibrahimpatnam, therefore on a complaint filed against him, the Town Police, Bapatla arrested him.

All the above depositions given by the blood relatives of Imadabattuni Veeranjanyulu confirmed that he impersonated as Kathi David Raju and obtained ST (Yanadi) caste certificate by fraud.



In this connection it is also pertinent to note that Sri Imadabattuni Srinivasarao, the elder brother of Immadabathuni Veeranjanyulu and others got issued a legal notice dt:13-01-2020 addressed to the District Collector, Guntur, Joint Collector, Guntur, R.D.O., Guntur, R.D.O., Tenali, Tahsildar, Guntur, Tahsildar, Amarthaluru, Tahsildar, Ponnur, Tahsildar, Bapatla, Panchayat Secretary, Muthayapalem, S.H.O., Arundalpetta and S.H.O., Bapatla Town P.S., wherein, it is alleged that addressees 3-11 shown in the legal notice are forcibly entering into the house of Imadabattuni Nagendramma and pressurizing them to accept that the photograph of Kathi David Raju is that of Imadabattuni Veeranjanyulu and some other allegations. Therefore, calling upon not to make further machinations to trouble Imadabattuni Nagendramma and her sons.

In fact the officials from Revenue Department have not visited the house of the Immadabathuni Nagendramma recently. The timing of the above legal notice gives raise to a suspicion that the notice is issued at the behest of the claimant himself, may be with a view to create confusion in the District Administration.

**Replies to objections:**

The allegation made by the claimant that the DLSC conducted enquiry on a complaint filed by Ramavath Krishna Naik representing a fake association is not tenable. The DLSC is confined to conduct enquiry into the contents of the complaint petition. If the claimant has got any grievance against the association belonging to the complainant, he could file his complaint before the Registrar of the Associations concerned.

The allegation made by the claimant that the DLSC findings are based on no evidence except recording his version and the version of some people, some officers who are influenced by the fake association is not correct. The enquiry officers filed abundant material papers to say that a person by name Imadabattuni Veeranjanyulu impersonated as Kathi David Raju.

All the allegations made by the claimant in his communication letter dated 24-10-2018 are false. A detailed reply on each point was sent to him on 02-01-2020.

On the other hand, the claimant stated that it is impossible for him to produce his blood relatives, which is not acceptable since the burden to prove his claim lies on him.

In fact, the DLSC after considering the reports and the material papers furnished by the Tahsildar, Ponnuru, Tahsildar, Bapatla, S.H.O., Bapatla Town Police Station and the Joint Director of TCR & TI, Vijayawada and the affidavits and statements given by the claimant and the material papers filed by him came to a conclusion that a person by name Imadabattuni Veeranjanyulu impersonated as Kathi David Raju and obtained ST (Yanadi) caste certificate by showing the T.C. belonging to Kathi David Raju, whose original name is Kathi David John and belongs to ST (Yanadi) who studied in M.P. Elementary School, Kanakadri Nagar upto 5<sup>th</sup> Class and joined in 6<sup>th</sup> class in Municipal High School, Bapatla during the year 1985-86, where his name was erroneously got entered as Kathi David Raju instead of David John by his father. This Kathi David John discontinued his studies in the 6<sup>th</sup> class itself and started his life as a Rikshaw puller at Bapatla Town, whereas the claimant herein obtained the T.C. belonging to Kathi David Raju on 08-11-1995 and started claiming himself as



Kathi David Raju and thereafter appeared for SSC examinations privately during April, 1996. Later, on misrepresentation of facts, he obtained ST (Yanadi) caste certificates from the Mandal Revenue Officer, Ponnuru.

The claimant referred to the letter dated 30-12-16 said to be written by I. Annapurna W/o. Veeranjanyulu addressed to the Revenue Divisional Officer, Guntur.

**In this connection, the claimant had filed W.P.No.34634/2016 seeking cancellation of the proceedings dt.19.04.2016 issued by the Revenue Divisional Officer, Guntur. On the said Writ Petition the Hon'ble High Court issued the following orders.**

**Gist of order dt:02-11-16 in W.P.No.34634/2016:** The only ground raised by the learned counsel for the petitioner is that the impugned wherein death certificate was cancelled came to be passed without putting the petitioner on notice. It is to be noted that any administrative matter which involve civil consequence must be made as per rules. In view of the above, the impugned proceedings dt:19-04-2016 cancelling the death certificate of the mother of the petitioner are hereby set aside. But, however the respondents are at liberty to issue a fresh notice to the petitioner and after hearing the petitioner, shall pass appropriate orders thereon in accordance with the law.

In obedience to the orders issued by the Hon'ble High Court, the RDO, Guntur issued notice to the claimant and others and passed orders afresh. Therefore, there is no relevance to the notice dt.30.12.2016 stated to have been issued by I. Annapurna W/o. Veeranjanyulu.

The claimant stated that the DLSC failed to examine the parents of I. Annapurna and kept the witnesses in Cold Storage, suppressed the material evidence is not correct. The findings of the DLSC along with 297 pages of material pages were handed over to the claimant on 10-10-2018. Moreover, the burden of proving his caste lies on the claimant himself.

Sri Ramavath Krishna Naik, the complainant has filed material papers that a person by name Imadabattuni Veeranjanyulu S/o Venkata Kotaiah had studied in Salvation Army High School, Bapatla during the period between 1982 and 1987, he again appeared for SSC examinations impostng as Kathi David Raju during April, 1996. The allegation made by the claimant that Imadabattuni Veeranjanyulu is a different person from him proved to be false in the enquiry made by the DLSC. Therefore, there is no point in the claim that the DLSC should enquire Imadabattuni Veeranjanyulu and his partents. The reports submitted by the Tahsildar, Ponnuru, Tahsildar, Bapatla, the S.H.O., Bapatla Town clearly prove that Kathi David John, Kathi China John and Kathi John are one and the same person. The name of Kathi David John was erroneously got entered as Kathi David Raju by his father at the time his admission in 6<sup>th</sup> class in Municipal High School, Bapatla. Therefore, Kathi David John / Kathi David Raju/Kathi John/China John refer to the same individual, Kathi David John / Kathi David Raju.

The claimant also alleged that the Panchayat secretary, Muttayapalem issued false death certificates in the name of Kathi Yedukondalu s/o Urumulaian and Kathi Pemavathi W/o. Yedukondalu, eventhough they are alive. In support of his allegation, he says that the Aadhar numbers of the said two persons were linked to their ration cards on 24.09.2015 and 16.12.2015, ration was also drawn by them under their biometric authentication.

The Tahsildar, Bapatla enquired into the matter and reported that there is no truth in the above allegations. The Panchayat secretaty, Muttayapalem stated that Kathi Premavathi W/o.Yedukondala died on 15.12.2014, Kathi Yedukondalu S/o.Urumulaiah died on 21.01.2015 as per the entries made in the register. There is no truth in the allegation that the Panchayat Secretary, Muttayapalem issued death certificates in respect of the persons who are alive and who are drawing ration. The Tahsidlar, Bapatla further reported that the Aadhar seeding appears to have been done intentionally after the death of the card holder and his wife.

On the other hand, Imadabattuni Veeranjanyulu impersonated as Kathi David Raju, therefore there are only two individuals, one is Imadabattuni Veeranjanyulu who is exposed in the name of Kathi David Raju, who has obtained Yanadi (ST) caste certificate on false representation and secured government job claiming ST reservation. The other individual is Kathi David John, who is named as China John / John in his colony and he is leading his life as a Rikshaw puller at Bapatla, whose name was erroneously got entered as Kathi David Raju at the time of his admission in VI class in Municipal High School, Bapatla.

The claimant alleged that the DLSC failed to examine the documents filed by Ramavath Krishna Naik and the documents filed by him in W.P.No.4935/2016. In this connection, it is noticed that the claimant filed the said Writ Petition seeking orders for quashing the F.I.R.No.3/2016 filed by the S.H.O., Bapatla Town P.S. on the complaint filed by Sri Ramavath Krishna Naik against the claimant. The complainant also filed a petition before the Joint Collector, Guntur seeking enquiry into the false caste certificate obtained by the claimant. The allegations made by the claimant are not specific and not relevant.

The claimant alleged that the DLSC failed to appreciate that the V class admission register of kanakadri Nagar School not produced to prove that Kathi David John joined VI class after studying V class. He expressed doubt that Kathi David John did not study V class.

In reply to the objections raised by the claimant it is stated that the Headmaster of the M.P. Elementary School, Kanakadrinagar furnished available information relating to the Admission No. and attendance of Sri Kathi David John pertaining to the period from 1979-80 to 1982-83 and 1984-85. As per the information given by the Headmaster, Kathi David John studied in the M.P. Elementary School, Kanakadrinagar from 1<sup>st</sup> calss to 4<sup>th</sup> class with Admission No.287 and then after a gap of 1 year, he joined in 5<sup>th</sup> class with Admission No.382 during the year 1984-85 and completed 5<sup>th</sup> class. Therefore, there is no truth in the allegations made by the claimant.

In the representation dated 11-01-2020, the claimant referred to the same allegations made in his letter communication dated 24-10-2018 that the DLSC failed to ascertain the genuineness of the association belonging to Ramavath Krishna Naik, the complainant. He alleged that, the DLSC went in a pre-judicial mind and in a pre-determined mind. He stated that the DLSC not followed the enquiry procedure prescribed under the A.P. (SCs, STs and BCs) Regulation of Issue of Community Certificates Act 16 of 1993 and Rules, 1997. The allegation is false. The DLSC had thoroughly considered the reports, affidavit of the claimant and material papers and came to a conclusion.

He stated that he filed W.P.No.38092/2018 to cancel the death certificates issued by the Panchayat Secretary, Muthayapalem. He stated that the Hon'ble High Court was pleased to direct him to put forth all his claims before the esteemed office.

The claimant has been provided opportunity of personal hearing on 01.02.2020 in addition to the earlier opportunities given to him to put forth his claims if any.

He stated that the DLSC should produce Ramavath Krishna Naik for his cross examination. He also threatened that if he is not given an opportunity of hearing, it will amount to an offence under S.167 I.P.C. and every officer involved in this process is liable for criminal prosecution apart from being liable for paying him and his family members the damages and also liable for departmental proceedings, which show the peculiar attitude of the claimant.

**Gist of order dt:25-10-18 in W.P.No.38092/2018:** Since the petitioner has already filed his explanation to the show cause notice issued by the District Collector, Guntur and as stated by the counsel for petitioner, he has raised all the contentions as urged in the Writ Petition, he may have a grievance only if an adverse decision is taken by the competent authority without appreciating the stand of the petitioner as contended by him in his explanation and in such a case, petitioner can workout his remedies as available in law. As regards to other issue as to whether the certificate dt:01-03-2016 stating that Kathi Yedukondalu S/o Urumulaiah died on 21-01-2015, was false or not has no relevance in so far as the claim of petitioner is concerned, the Writ Petition cannot be maintained, it shall stand closed.

He stated that he had his biological father and mother, but not considered by the DLSC. He had to file a suit vide C.F.R.No.6012/2019 of the file of P.J.C.J., Bapatla to prove that the death entry of his father recorded at Amarthaluru is correct and that the one issued by the Panchayat Secretary, Muthayapalem at Bapatla Mandal is incorrect.

The claimant is informed that the allegation raised by him is false and all relevant evidence has been considered by the DLSC and also the District Collector, Guntur.

He stated that he also filed W.A.No.15/2020 against order dated 05-12-2019 issued by the Hon'ble High Court in W.P.No.8376/2019. He stated that he also filed another W.P.No.20331/2019 for ascertaining the person and also requested to follow the judgment issued by the Hon'ble High Court in W.P.No.10392/2019.

The claimant is informed that the orders of the Hon'ble High Court have been followed scrupulously.

Kathi Triveni, D/o Kathi David Raju filed representation dated 12-12-19 reiterating the same contentions raised by Sri Kathi David Raju, the claimant. She stated that Imadabattuni Veeranjanyulu, Kathi David Raju, Kathi David John, Kathi John / China John are 4 different persons and his father has filed suits O.S.No.110/2018 in P.J.C.J. Court, Ponnur and suit O.S.No.39/2019 in P.J.C.J. Court, Bapatla for declaration of her father as Kathi David Raju. She stated that the District Collector was also made one of the defendants, but however he became ex-parte on failure of submission of written statement. Therefore, she requested to take a stand and summon the said 4 persons named

by her for declaring that her father is Kathi David Raju and he is not impersonating any other person.

The contents raised by her are not correct and not tenable.

**Observations:**

The claimant managed to conceal his original identity of Imadabattuni Veeranjanyulu and imposted himself as Kathi David Raju S/o Yedukondalu basing on the T.C belonging to Kathid David John @ David Raju (whose caste is ST-Yanadi) who joined in VI class in Municipal High School, Bapatla during 1985-86 and discontinued, appeared for SSC exams during April 1996 as a private candidate, there after obtained ST-Yanadi certificate from the MRO, Bapatla. Basing on the academic certificates, he managed to get employment as Conductor in A.P.S.R.T.C. under ST reservation. Similarly, he could secure employment as Sub Engineer in NTPS, Ibrahimpatnam basing on the ST reservation, which he fraudulently claimed.

He also obtained ST-Yanadi certificates for his two children. He claimed that Peta Annapurna deserted Imadabattuni Veeranjanyulu and joined him as his partner. He got entered the name of Kathi Annapurna as his wife as per the extract of Service Register opened at NTPS, Ibrahimpatnam, a copy of which was produced by the Tahsildar, Ponnur. It is pertinent to note that he admitted during the personal hearing on 01.02.2020 that Smt Annapurna not obtained legal divorce.

It is therefore clearly established that Imadabattuni Veeranjanyulu, S/o Venkata Kotaiah impersonated as Kathi David Raju, S/o Yedukondalu and managed to obtain Yanadi (ST) Certificate by showing the Transfer Certificate of Kathi David Raju, S/o Yedukondalu, who is a different person and now eking out his livelihood as a Rikshaw puller at Bapatla Town, who had really joined in 6<sup>th</sup> Class in Municipal High School, Bapatla and discontinued his studies. Therefore all the certificates produced by the claimant which are originated from a T.C belonging to another person shall be treated as invalid as they are obtained fraudulently by misrepresentation of facts. **Therefore these certificates cannot be treated as an evidence to support the claim that the claimant is Kathi David Raju. Moreover, it is clearly established that Imadabattuni Veeranjanyulu impersonated as Kathi David Raju.**

The claimant not filed the following documents to support his claim:

- A copy of the enquiry report of the Social Welfare Department, Masab Tank, Hyderabad claimed by the respondent.
- Information regarding his fore fathers and blood relatives both Maternal and Paternal side and proofs in respect of caste elders.

**In addition to the above, I found the following contradictions also in the documents produced / affidavits and statements submitted by the claimant.**

1. Sri Kathi David Raju, the claimant in his statement given to the Tahasildar Ponnuru stated that he has studied 5<sup>th</sup> class in Government Elementary School at Kanakadri Nagar, Bapatla and his name is Kathi David Raju.

But in his affidavit before the DLSC he stated that he studied 1<sup>st</sup> to 4<sup>th</sup> class privately and he studied 5<sup>th</sup> class in the elementary school at Matsyapuri colony. But in the school records produced by the Tahasildar Ponnuru, the name of the claimant Kathi David Raju is not found. But the name Kathi David John was only found with interrupted study as per the documents produced by the Tahasildar Ponnuru that Kathi David John studied 1<sup>st</sup> to 4<sup>th</sup> classes from 1979-1980 to 1980-1983 and he did not study during the Academic Year 1983-1984 and again he joined in 5<sup>th</sup> class in 1984-1985.

The burden is upon the claimant to show and substantiate by certificates that he studied at Kanakadrinagar Government Elementary school of Bapatla Mandal. He has not produced any certificate that he studied in Government Elementary School, Kanakadrinagar as Kathi David Raju.

2. Sri Kathi David Raju, the claimant in his statement given to the Tahasildar Ponnuru and in the affidavit, stated that he completed the 6<sup>th</sup> class in Municipal School Bapatla and he attended for the final examination also.

He has not filed the marks list if any issued after 6<sup>th</sup> Class annual examination to substantiate his claim. The Transfer Certificate shows that it was obtained on 8-11-1995.

3. Sri Kathi David Raju, the claimant in his statement stated that his elder siblings suffered still birth and therefore his father believing Jesus Christ named claimant as Kathi David Raju, but he has not filed any proof to show that his elder siblings suffered still birth. But in the records of MPP School Kanakadri Nagar, produced by the Tahasildar Ponnuru, the name of Kathi David Raju is not found in the relevant years.

4. Sri Kathi David Raju, the claimant in his statement given to the Tahasildar, Ponnuru and in the affidavit stated that his father went to Ponnuru and raised a hutment on the bund of Thungabhadra Drain behind the government hospital.

But he did not produce any oral or documentary evidence to show that his family lived at that place.

5. Sri Kathi David Raju, the claimant in his statement given to the Tahasildar Ponnuru and in the affidavit stated that his father used to go to Bodapadu of Amarthalur Mandal as watchman in the fields and in the month of February 1996 his father K. Yedukondalu S/o Venkata Swamy died in the village Bodapadu and his body was cremated with the help of the villagers of Bodapadu.

But he did not produce any oral evidence from the villagers of Bodapadu that his father died in the month February 1996 at Bodapadu. But the Tahasildar Ponnuru produced a copy of the death register of the Bodapadu village for the year 1996. The death register is found tampered by entering the name Kathi. Yedukaondalu without father's name by correction of Serial Number in the register.

6. Sri Kathi David Raju, the claimant in his statement given to the Tahasildar Ponnuru and in the affidavit stated that he had not studied during the period from 1986-1996 and went to coolie works and stayed at NGO colony, Guntur in the years 1994 and 1995 and he fell in love with Peta Annapurna D/o Peta Subbarao and her parents did not agree for their marriage. Peta Annapurna was married to Imadabattuni Veeranjanyulu at Pedakakani. He further stated that within 15-20 days of the marriage, Annapurna deserted her husband and has been living with the claimant, Kathi David Raju.

But the claimant Kathi David Raju, got the name of Annapurna entered as Kathi Annapurna W/o. Kathi David Raju in his Service Register opened in the Office of the NTTPS, Ibrahimpatnam.

7. Sri Kathi David Raju, the claimant in his statement Dt:20/06/2016 stated that out of his relationship with Annapurna on 17-06-1997 while he was in a rented house at Kondapalli, Annapurna gave birth to a female child by name Triveni and on 10-10-1999 she gave birth to Raja Ravindra in the same house. Both are natural deliveries which took place in his rented house at Kondapalli but not in any Hospital. But the birth records and certificates of the said Triveni and Raja Ravindra are produced by the Tahasildar Ponnuru. As per the birth certificates they were born at St. Joseph Hospital, Guntur. The statement of the claimant that the children were born at Kondapalli at his rented house is proved to be a false statement as the birth certificates clearly disclose that they were born in at St. Joseph Hospital, Guntur.

In the birth certificate of 'Triveni' the name of the father and mother of the child were shown as Imadabattuni Veeranjanyulu and Imadabattuni Annapurna and Imadabattuni Veeranjanyulu was shown to have been studied Polytechnic and their address was shown as Gudlavalleru, Gudivada of Krishna District.

Imadabattuni Veeranjanyulu has studied at Polytechnic College, Gudlavalleru with the assumed name of Kathi David Raju. The birth certificate of Triveni clearly shows that Imadabattuni Veeranjanyulu and the claimant are one and the same.

The claimant says in the reply to the show cause notice that the birth certificates of the children at St. Joseph Hospital Guntur with the name of Imadabattuni Veeranjanyulu was explained by Annapurna in her legal notice dated 30<sup>th</sup> December 2016. In the legal notice, Annapurna admitted that the children were born at St. Joseph Hospital Guntur. Due to prestige her mother entered the name of Imadabattuni Veeranjanyulu instead of name of the claimant Kathi David Raju.

In the Legal notice Annapurna is described as Imadabattuni Annapurna w/o Imadabattuni veeranjanyulu. But Anapurna is described as Kathi Anapurna w/o Kathi David Raju in the Service Register of the claimant.

8. Sri Kathi David Raju, the claimant in his statement given to the Tahasildar Ponnuru stated that he entered their birth on the basis of his own affidavits. He further stated that he applied for late registration of birth certificates of his children at Ibrahimpatnam and obtained the birth certificates as if they were born at Kondapalli in a rental house. He suppressed the fact that the births took place in St. Joseph Hospital, Guntur and got registered in Guntur Municipal Corporation records.

9. The Tahasildar, Bapatla filed the videos, photographs along with CDs relating to the marriage function of Imadabattuni Ramesh, brother of Imadabattuni Veeranjanyulu in which the claimant along with Imadabattuni Annapurna and their children appeared in the group photo of the family members of Imadabattuni Veeranjanyulu along with his brothers and mother Imadabattuni Nagendramma.

If Peta Annapurna had really deserted Imadabattuni Veeranjanyulu and living with a different person, the family members of Imadabattuni Veeranjanyulu would not allow the claimant to their family group photo.

During the personal hearing on 01-02-2020, he also admitted that he attended for the above function and the photo belongs to him.

Therefore it is proved that Imadabattuni Veeranjanyulu impersonated as Kathi David Raju. He is exposed to the public at his native place and his relatives as Imadabattuni Veeranjanyulu. He posed himself as Kathi David Raju at other places.

9. The claimant, Sri Kathi David Raju did not give the names of his ancestors either from father side or mother's side or any other relative to prove

that he is Kathi David Raju till 01.02.2020. On 01.02.2020 he furnished some names as follows:

- Name of the mother of his father (Paternal grandmother) is Smt.Gangamma
- Name of the mother of his mother (maternal grandmother) is Smt.Pochemma
- Name of the father of his mother (maternal grandfather) is Gangaiah.

He stated that these details were given by his mother at the time of his admission into polytechnic course in the year 1996. But he has not revealed these names before the DLSC and the TCR & TI wing of Tribal Welfare Department, or other occasions prior to 01-02-2020. Moreover, he stated that he had not seen his relatives and he has also not furnished any cogent and convincing documentary evidence about his blood relatives.

*But in Sec-6 of the Regulation of issue of community certificates Act 1993 says the burden of proving that the claimant belongs to a particular caste, Tribe or class shall be on the claimant.*

11. Sri Kathi David Raju stated before the Tahsildar, Ponnuru that his mother, Kathi Nagendramma, died on 20-1-2014 at the house of his brother-in-law Peta Ratna Kumar due to heart attack.

The claimant Kathi David Raju states that Annapurnais his partner. Peta Ratna kumar is the Brother-in-law of Imadabattuni Veeranjanyulu, so the relationship pleaded by the claimant established that both are one and the same.

The Tahasildar Ponnuru produced the FIR in Crime 103/2016 of Arundelpeta PS for the offences under sections 199,465,466,420,200,468 & 471 of IPC. The said crime was registered on the report submitted by the Tahasildar, Guntur for obtaining false death certificate by producing the fake Burial ground receipt and false affidavits of Peta Ratnakumar brother of Imadabattuni Annapurnaand the elder brother of Imadabattuni Veeranjanyulu.

12. Had Imadabattuni Veeranjanyulu not really imposted as Kathi David Raju, it is not possible that Kathi David Raju would be received by both the families as their family member.

13. The claimant Kathi David Raju failed to produce the photo of Imadabattuni Veeranjanyulu.



14. The Tahasildar Ponnuru produced the gift deed dated 26-04-2005 executed by the father of Anapurna in her favour. The Tahasildar Ponnuru also produced the correction deed dated 27-07-2007 in which Imadabattuni Veeranjanyulu signed as a witness.

The claimant made contradictory claims, may be in his endeavor to cover up his fake identity and the fact that Annapurna was projected as Imadabattuni Annapurna, W/o. Imadabattuni Veeranjanyulu before her relatives and as Kathi Annapurna, W/o. Kathi David Raju at the place of Employment of the claimant.

As per Section-6 of the Andhra Pradesh (SCs, STs and BCs) Regulation of Issue of Community Certificates Act, 1993 (Act No.16 of 1993), ***the burden of proving that he belongs to such Caste, Tribe or Class shall be on the claimant.***

**Findings:**

I have gone through the report submitted by the D.L.S.C., documents produced by the individual and the reports and the material papers submitted by the Tahsildar, Ponnur, Tahsildar Bapatla, S.H.O., Bapatla Town P.S. and the Joint Director of T.C.R. & T.I., and also perused the explanation/affidavit dated 31-01-2017 and the additional affidavit dated 26-05-2018 filed by the claimant and his reply dated 24-10-2018 to the notice dated 22-09-2018. A detailed reply dated 02-01-2020 was already sent to the claimant to the queries raised by him on 24-10-2018. I have also perused the explanation filed by the claimant on 01-02-2020 during his personal hearing and the Xerox copies of the documents filed by him in a spiral book on 04-02-2020.

I have perused the representation dated 11-01-2020 filed by the claimant. He raised some objections and made some allegations against the DLSC, the complainant, the Tahsildar, Ponnuru and some others. He went to the extent of threatening the enquiry officers including the District Collector that he would file against them u/s.167 I.P.C. if his caste certificate is cancelled and he would also file suit for damages. He also threatened that he would have to see the media. All this show that he wanted to create panic and fear psychosis in the minds of the enquiry officers and slap on their morale. This also amounts to causing obstruction to the duty of the enquiry officers.

The claim made by Sri Kathi David Raju that he himself is Kathi David Raju is false. His claim that he has not impersonated any person is false. There is glaring evidence that Imadabathuni Veeranjanyulu S/o Venkata Kotaiah belonging to Telaga caste obtained the Transfer certificate belonging to Kathi David Raju alias Kathi David John who joined 6th class in Municipal High School Bapatla during the year 1985-86 and discontinued his studies and settled his life as Rikshaw puller at Bapatla town. He is the resident of Kanakadri Nagar and he belongs to Scheduled Tribe, Yanadi Caste. He studied in M.P. Elementary School, Kanakadri Nagar upto 5th class in the name of Kathi David John S/o Edukondalu. His father said to be an illiterate person got entered his name as

Kathi David Raju instead of Kathi David John at the time of his admission in 6th class in Municipal High School, Bapatla. There is a recorded evidence that Kathi David John and Kathi David Raju are one and the same person. The Tahsildar reported that Kathi David John is also known as Kathi China John S/o Kondalu, and also known as Kathi John S/o Kondalu in Kanakadri Nagar.

The Tahsildar, Bapatla who enquired at Kanakadri Nagar stated that the name of Kathi David John, Kathi John and Kathi China John refer to the same individual, Kathi David John alias Kathi David Raju S/o Edukondalu.

On the other hand, Imadabathuni Veeranjanyulu S/o Venkata Kotaiah, who belongs to Telaga caste impersonated as Kathi David Raju S/o Edukondalu, obtained Transfer certificate on 08.11.1995 from the Municipal High School Bapatla. Thereafter, he appeared for SSC examinations as a private candidate in the month of April 1996 and passed the Examination. Thereafter, he obtained Scheduled Tribe, Yanadi caste certificate from the Mandal Revenue officer Ponnuru, showing the Transfer certificate belonging to Kathi David Raju which he obtained from Municipal High School, Bapatla on 8.11.1995.

It is also reported that Sri Imadabathuni Veeranjanyulu S/o Venkata Kotaiah who belongs to Telaga caste studied in the Salvation Army High School Bapatla from 1982 to 1987 and he also appeared for SSC Examination during 1987.

The reports, the material evidence submitted by the Tahsildar Bapatla, Tahsildar Ponnuru, SHO Bapatla, Town PS, the statements given by the relatives of Imadabathuni Veeranjanyulu all prove beyond doubt that, Imadabathuni Veeranjanyulu had impersonated as Kathi David Raju with a malafide intention to claim reservation intended for Scheduled Tribe people.

The Claimant stated that he filed a number of certificates showing that that he belongs to ST Yanadi caste. It is true that he filed caste certificates obtained basing on the Transfer certificate belonging to Kathi David Raju. There after he studied Polytechnic course and got recorded his caste as ST- Yanadi. He got job in the APSRTC, there he got his caste entered as ST-Yanadi. He also produced a certificate from the Andhra University. Thereafter he secured a job in AP Genco as Sub Engineer basing on the ST Reservation, which he claimed through the caste certificate obtained from the Mandal Revenue Officer, Ponnuru.

It is evident from the above discussion that Imadabathuni Veeranjanyulu impersonated himself as Kathi David Raju and obtained transfer certificate belonging to another person (Kathi David Raju), showing that TC, he appeared for SSC Exams as a private candidate, passed the exams and later obtained caste certificate as belonging to ST, Yanadi caste. Thereafter he built up all his academic records, thereafter gained employment claiming ST reservation. Therefore it is established that he obtained ST, Yanadi caste certificate fraudulently under fake identity as Kathi David Raju, concealing his original identity as Imadabathuni Veeranjanyulu. Therefore all the certificates produced by him are based on a fake certificate obtained fraudulently and on misrepresentation of facts, hence they cannot be treated as valid evidence.

The claimant repeatedly stated that his parents hailed from the Kavali town of Nellore District, but he has not produced any evidence to support his claim. He has not produced evidence that his father was a rodent catcher.

The claimant could not prove that he belongs to Scheduled Tribe, Yanadi caste, he could not furnish the details of his blood relatives, he could not produce his blood relatives and caste elders before the DLSC and the District Collector Guntur.

He could not produce caste elders for enquiry, he could not file documentary evidence that he studied in M.P. Elementary School. On the other hand he pleaded that he has no blood relatives, he stated that production of blood relatives is not necessary at this stage, which is not correct.

It is also seen from the representations, affidavits, replies and notices sent by the claimant that instead of producing blood relatives and caste elders and their certificates for verification, the claimant entirely relied on the certificates which he obtained in the name of Kathi David Raju basing on the TC, belonging to another person, which proved to have been obtained under fake identity. Therefore the evidence claimed by him cannot be taken into consideration.

On the other hand he contributed most of his time in making allegations against the complainant, the persons who adduced evidence against him, and the enquiry officers instead of filing relevant explanation to support his claim. Moreover he also made allegations against the DLSC and also resorted to threatening the authorities, which show his peculiar attitude. The allegation made by the claimant that the DLSC not made the enquiry as per procedure is not true. The allegation that, the claimant not given opportunity is not true. All the allegations made by him are not relevant to support his claim.

His claim that 1. Kathi John/China John 2. Kathi David John 3. Kathi David Raju 4. Imadabathuni Veeranjanyulu are four different persons is not true. There are only two persons, one is Kathi David Raju alias Kathi David John S/o Yedukondalu and the other is Imadabathuni Veeranjanyulu S/o Venkata Kotaiah, as reported by the Tahsildar, Bapatla.

**Conclusion:**

After **considering** the above facts with a critical view, I am convinced that Imadabattuni Veeranjanyulu who belongs to Telaga Caste impersonated as Kathi David Raju and obtained ST (Yanadi) Caste Certificate by fraud and misrepresentation of facts and that the District Level Scrutiny Committee rightly recommended for cancellation of the ST Yanadi certificate obtained by Imadabattuni Veeranjanyulu in the assumed name of Kathi David Raju. Under section 5 (1) of AP (SC, ST and BC) Regulation of issue of Community, Nativity and Date of Birth Certificate Act 16 of 1993 r/w Sub-Rule 7 of Rule 9 of AP (SC, ST & BC) Issue of Community, Nativity and Date of Birth Certificate Rules, 1997, communicated in G.O.Ms.No.58 of Social Welfare Department, Dt: 12.05.1997, the District Collector is competent to cancel the caste certificate.

The Hon'ble High Court of A.P. issued orders in W.P.No.10392 of 2019, *directing the District Collector to pass orders strictly in accordance with the law.*

The Hon'ble High Court of A.P. issued orders in W.P.No.8576 of 2019, dated 05-12-2019, *directing the District Collector to complete the inquiry within a period of one month as prescribed under the Act.*

In view of the above circumstances and in exercise of powers conferred, under Sub Rule 7 of Rule 9 of A.P. (SC/ST & BC) Issue of Community, Nativity and Date of Birth Certificate Rules, 1997 (G.O.Ms. No.58 S.W. (J) Dept., dated. 12.05.1997) read with section 5 (1) of A.P. (SCs, STs and BCs) Regulation of Issue of Community, Certificates, Act 16 of 1993, I, I.Samuel Anand Kumar, I.A.S., Collector and District Magistrate, Guntur do hereby cancel the YANADI (ST) caste certificate dated 14-08-1996 and the caste certificate bearing No. 78/97 dated 29-10-1997 obtained by *Kathi David Raju S/o Yedukondalu* (whose real name is Sri Imadabattuni Veeranjanyulu belonging to Telaga Caste), from the Mandal Revenue Officer, Ponnur and other caste certificates if any obtained by him, with immediate effect duly declaring that the individual does not belong to Yanadi (ST) community.

A notification to this effect shall be published in the A.P.State Gazette.

An appeal against this order lies before the Government within thirty (30) days from the publication of this order in the Andhra Pradesh Gazette as per Section 7 (2) of Act 16 of 1993.

**I. SAMUEL ANAND KUMAR,**  
*Collector & District Magistrate,*  
*Guntur.*

To

Sri Kathi David Raju, S/o Yedukondalu (real name Sri Imadabattuni Veeranjanyulu), Q.No.E-11, E1-Block, Pinakini Colony, Nelatur Village, Muthukuru (Mandal), Nellore District-524347, Cell No.9032934518.

### **NOTIFICATION**

In view of the recommendations of the District Level Scrutiny Committee and in exercise of powers conferred under section 5 (1) of the A.P. (SC/ST/BC) Issue of community certificate Act 16 of 1993 r/w Sub-Rule (7) of Rule 9 of A.P. (SC/ST/BC) issue of Community, Nativity and Date of Birth Certificate Rules, 1997 communicated vide G.O.Ms.No.58, Social Welfare (J) Department, Dt: 12-5-1997, I,I. Samuel Anand Kumar, I.A.S., Collector and District Magistrate, Guntur do hereby cancel the Yanadi (ST) caste certificate dated 14-08-1996 and the caste certificate bearing No. 78/97 dated 29-10-1997 obtained by *Kathi David Raju S/o Yedukondalu* (real name Sri Imadabattuni Veeranjanyulu S/o Venkata Kotaiah belonging to Telaga caste), from the then Mandal Revenue Officer, Ponnur and other caste certificates if any obtained by him, with immediate effect duly declaring that the individual does not belong to YANADI (ST) community.

**I. SAMUEL ANAND KUMAR,**  
*Collector & District Magistrate,*  
*Guntur.*